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ABSTRACT

The degree of uniformity among State laws requiring drivers to stop for school buses receiving or discharging children is not such that drivers could reasonably be expected to know these laws. Because of the wide variation of State laws and the inherent vulnerability of school children and of any vehicle stopping on a highway, there can be no justification for the position that everyone is presumed to know the law and that nonuniformity is therefore not significant. School bus regulation must obtain a degree of conformity in basic requirements so that all drivers know what obligations they have when meeting or overtaking a school bus. Uniform regulations would promote the safety of passengers in the bus, pedestrians near the bus, and of drivers approaching school buses in all States. Thus, the author advocates that each State should amend its laws to conform with the school bus stopping provisions in the latest edition of the Uniform Vehicle Code. (Author/MLF)

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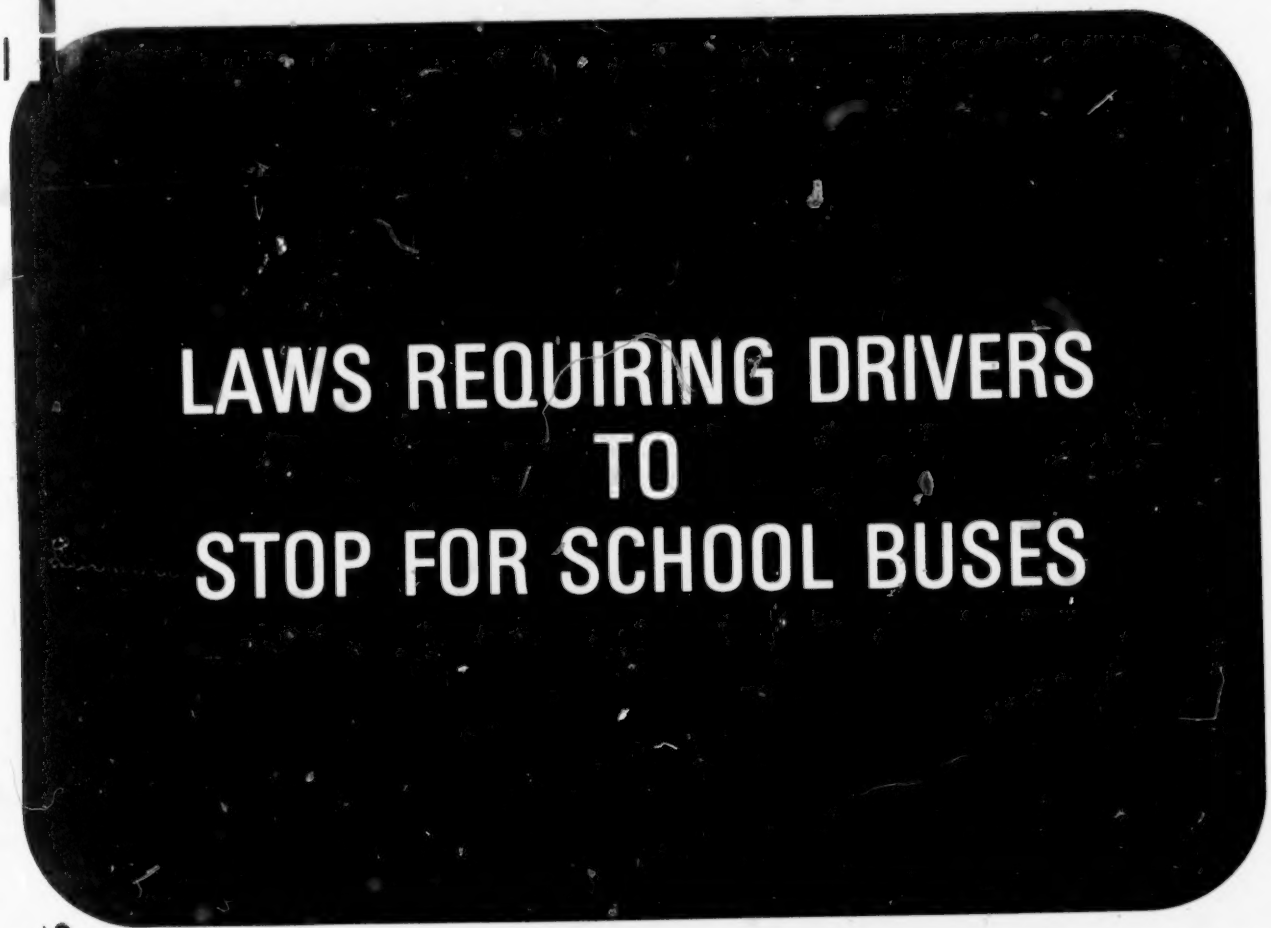

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The Commentary series covers, on a selective basis, the development and status of state motor vehicle and traffic laws, particularly as they relate to provisions in the Uniform Vehicle Code.

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Stopping for School Buses

by

E. Eugene Yaw

NATIONAL COMMITTEE ON UNIFORM TRAFFIC LAWS AND ORDINANCES

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INTRODUCTION

All 50 states and the District of Columbia have laws requiring drivers to stop for school buses receiving or discharging children. This Commentary[1] reviews those laws in the context of comparable provisions in the Uniform Vehicle Code.[2]

Because of increasing interstate mobility of drivers and increased busing of school children, it is likely that many drivers will be subject to school bus stopping laws in different states. A driver with the best intentions may find that an act legal in his state of residence is specifically prohibited in the state where he is driving or vice versa. Such differences produce situations which are unreasonable for drivers and hazardous for school bus passengers, especially at the time of loading or unloading. Such differences should be eliminated by the adoption, in every state, of the applicable provisions found in the Uniform Vehicle Code.

Briefly, the Code rule of the road on this subject, and the rule that should be applied in all jurisdictions, is that a driver must stop before reaching a school bus when four conditions are met:

(1. The bus is yellow in color.
(2. The bus displays "school bus" signs.
(3. Alternately flashing red lights are in operation on the bus.
(4. The bus is stopped.

After stopping, drivers may proceed when the school bus resumes motion, or when the special flashing red lights are no longer in use, or when the bus driver otherwise signals drivers to proceed. This rule does not apply to drivers on a different roadway of a divided highway.

DEFINITION OF SCHOOL BUS

What is a "school bus" within the meaning of a law requiring drivers to stop? Under the Uniform Vehicle Code, any motor vehicle which is used to transport children to or from school or in connection with school activities is deemed to be a school bus if the vehicle meets the color and identification requirements set forth in the most recent edition of Minimum Standards for School Buses.[3]

The basic approach of the UVC definition, which utilizes both functional criteria (that is, how the bus is used) and identification requirements (that is, what the bus looks like) in defining the term "school bus" has been followed in 12 states.[4] A second approach, which has been used in 35 jurisdictions,[5] and in Highway Safety Program Standard No. 17,[6] relies solely upon functional criteria in defining the term.

The laws of three states (Alaska,[7] Texas and Wyoming) are in substantial conformity with the Code definition of "school bus." Under the laws of these states a motor vehicle other than one operated by a common carrier in urban transportation, which is used to transport children to or from school is a school bus only if it meets the color and identification requirements set forth in Minimum Standards for School Buses -- primarily, the vehicle must be yellow and must have signs identifying it as a school bus. Alaska, however, excludes only buses operated full-time as common carriers which carry school children only incidental to regular passenger transportation.

The laws of seven states (Connecticut, Florida, Georgia, Hawaii, Maryland, New Jersey and Washington) have definitions that are similar to the Code but refer to requirements of state law or regulation rather than to the color and identification requirements of Minimum Standards for School Buses. All seven of these laws include the functional criterion, a vehicle must be used to transport school children in order to be a "school bus." Additionally, these laws include identification requirements as follows: Connecticut states that a motor bus, in order to be a school bus, must be painted, constructed, equipped, and registered as provided in the statutes. Connecticut also specifically provides that any bus meeting those requirements is a school bus whether or not it is operated for compensation or under contract to provide such service. Florida requires only that a school bus meet other provisions within the statutes relating to construction, color, identification, and equipment.[8] Georgia provides that a school bus must be constructed for the specific purpose of transporting children to or from public schools and must comply with other state requirements relating to construction, color, identification, and equipment. Georgia also specifies that if a motor vehicle is privately owned it must be operated for compensation before it falls within the definition of school bus. Hawaii substitutes rules promulgated by the Highway Safety Coordinator for the Code requirement of compliance with Minimum Standards for School Buses. Similarly, Washington substitutes regulations

published by the Commissioner of Public Instruction.[9] Maryland requires that the vehicle be registered as a school bus and comply with standards prescribed by the Commissioner of Motor Vehicles.[10] New Jersey requires compliance with regulations established by the Department of Education. New Jersey also requires operation for compensation before a privately owned vehicle will be classified as a school bus, except vehicles owned or operated by religious or charitable organizations for transporting children to or from secular or religious education.[11]

Only three of these states (Hawaii, Maryland and Washington) are in conformity with the UVC provision excluding buses operated by common carriers in urban transportation of school children. Another (Florida) excludes common carriers only if they are not used exclusively to transport school children. Although not part of the definition, New Jersey specifically provides that the requirement for warning lights does not apply to common carriers who accept and discharge persons who offer themselves for transportation on an indiscriminate basis. Connecticut does not specifically exclude common carriers but does require compliance with provisions for construction, design, equipment and registration before a vehicle is deemed to be a school bus, and therefore would probably exclude common carriers.

Two other states (Oregon and Virginia) have definitions that are similar to the Uniform Vehicle Code, but differ in that the definitions themselves contain the identification requirements. The Virginia law contains substantive requirements concerning the type of vehicle, color, identification, and a requirement for warning devices. Virginia, although not referring to common carriers, does except commercial buses from the definition, which probably would exclude buses used in urban transportation. The Oregon law is similar but not as detailed. It states that a school bus is any motor vehicle having a seating capacity for 12 or more persons, identified front and rear as a school bus, transporting children, and not subject to regulation as a common carrier.

Thirty-five jurisdictions have adopted a provision which defines "school bus" based solely upon how a particular motor vehicle is used. Generally under this approach a motor vehicle transporting children to and from school is a "school bus" whereas under the UVC approach a vehicle will be deemed a "school bus" only if it also complies with certain color and identification requirements.

With slight modification, 20 states define a school bus as every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school or privately owned and operated for compensation for the transportation of children to and from school:[12]

Alabama	Indiana	Montana	Rhode Island
Arizona	Kansas	Nevada	South Carolina[15]
Arkansas[13]	Louisiana	New Mexico[14]	Tennessee
Colorado	Minnesota	North Dakota	Utah
Idaho	Mississippi	Oklahoma	West Virginia

The Arizona law provides that the vehicle may be owned by a public or governmental agency or "other institution." Colorado specifically states that the definition does not apply to informal or intermittent arrangements such as sharing of actual gasoline expense or participation in a car pool. Nevada specifically excepts passenger cars operated under contract to transport children to and from school. Utah substitutes "bus" for "motor vehicle" and has no requirement that compensation be paid to privately owned buses.

The laws of three of these states (Nevada, Oklahoma and Utah) have provisions concerning the exclusion of common carriers from the definition. Both Nevada and Oklahoma exclude common carriers which transport children to and from school in conjunction with their regular business. However, Utah excludes all vehicles chartered or leased by a school district from a certified contract carrier or common carrier which are subject to inspection by the state public service commission.

Eight other states (Illinois, Maine, Michigan, New Hampshire, New York, Ohio, South Dakota and Vermont) generally define "school bus" as a motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school or privately owned and operated for compensation for the transportation of children to and from school, but the definitions also include additional criteria as follows: The Illinois school bus definition applies only to motor vehicles designed to carry more than 10 passengers owned or operated by or for a public or governmental agency or by or for a private or religious organization, regardless of any compensation requirement. The Maine definition applies only to motor vehicles having a capacity of 10 or more passengers.[16] The Michigan law defines school bus

to include only motor vehicles, except station wagons, with a manufacturer's rated capacity of eight or more children whether used by a public, governmental or private agency. New Hampshire states that the definition applies to privately owned vehicles employed solely to transport school children to and from school or school activities by virtue of a contract. Also, as part of New Hampshire's definition, school buses are classified as either "large" or "small,"[17] and station wagons are specifically included in the "small" category. New York varies the basic definition by providing that a vehicle is also considered to be a school bus when transporting teachers and other persons acting in a supervisory capacity to or from school or school activities.[18] Ohio's definition applies to every bus designed to carry more than nine passengers, including those operated by a private agency or institution. South Dakota's criteria for use of the bus include transportation to and from school activities as well as to and from school. The Vermont definition specifically includes pleasure cars or any other vehicle in which four or more passengers can be transported safely and comfortably.

Three of the preceding states (Illinois, Maine and Michigan) have provisions generally excluding common carriers from the definition of a school bus. Another (Ohio) excludes common carriers unless such a bus is devoted exclusively to the transportation of children to and from a school session or a school function. New York, although not specifically excluding common carriers, excludes from the equipment and identification requirements buses not used exclusively to transport pupils, teachers or supervisors. The remaining states (New Hampshire, South Dakota and Vermont) have no provision specifically excluding common carriers from the definition of a school bus. Because New Hampshire's definition applies only to vehicles used solely to transport school children, however, common carriers would be excluded if they transport children along with other passengers.

The laws of five jurisdictions (California, Iowa, Massachusetts, Wisconsin and the District of Columbia), although not conforming with the school bus definitions discussed above, do employ the same approach by defining a school bus on the basis of the use of the vehicle. California defines a school bus as any motor vehicle used for the transportation of any public or private school pupil at or below the 12th grade, excluding passenger vehicles designed for and actually carrying eight persons including the driver, and nine or 10 passenger

station wagons when transporting not more than eight pupils other than on a regular basis or when transporting retarded or handicapped children.19/ Also excluded are motor vehicles of any type carrying only members of the owner's household. California further provides that, notwithstanding any other provision of the definition, the governing board of a school district maintaining a junior college may designate any motor vehicle operated by or for the district a school bus while being used to transport junior college students. Iowa defines a school bus as any vehicle used for the transportation of children to or from school. Specifically excepted from this definition are vehicles which are privately owned and not operated for compensation; vehicles used exclusively for the transportation of children in the immediate family of the driver; and vehicles designed to carry not more than nine passengers operated by school employees to transport pupils to events in which the pupils are participants or to transport pupils to their homes in case of illness or other emergency situations. Massachusetts states that a school bus is any motor vehicle used for the transportation of school children or those enrolled in a camp. Excluded are motor vehicles used for not more than three days in case of emergency and motor vehicles having permanent seating accommodations for not more than nine persons in addition to the operator. Wisconsin defines a school bus as a motor vehicle which transports children to or from a public or private school or extracurricular activities. The law excludes any motor vehicle owned or operated by a parent or guardian transporting his own children, regardless of whether a contract or compensation is involved. Under the provisions of the Wisconsin definition, vehicles having a seating capacity of less than 10, including the operator, are not school buses when used in the casual or reciprocal transportation of children provided that such operation is not pursuant to a contract. The District of Columbia law provides that a school bus is any motor vehicle designed to carry eight or more passengers and regularly used to transport children to or from school or a school-connected activity.

Of these five jurisdictions, all have provisions in their definitions excluding common carriers. Massachusetts and Wisconsin exclude common carriers in general, while California's exclusion applies if vehicles of common carriers are not used exclusively to transport school children. Iowa excludes such vehicles if transporting school children is part of, or in addition to, regularly scheduled service. The District of Columbia excludes common carriers which transport children incidental to their transportation of other passengers.

Two states (Missouri and Pennsylvania) have no definition of "school bus" applicable to traffic regulations but both define the term in other sections of their vehicle codes. Missouri defines school bus for registration as any motor vehicle used solely to transport students to or from school or any place for educational purposes, and for driver licensing purposes as a public or privately owned motor vehicle used to transport students to or from school or any place for educational purposes. Missouri has no specific provision dealing with common carriers. Pennsylvania sets forth a definition only in the equipment part of its vehicle code stating that a vehicle registered as a commercial vehicle or a bus and used to transport children is a school bus.[20] Pennsylvania excludes common carriers from this definition.[21]

The remaining four states (Delaware, Kentucky, Nebraska and North Carolina) have no specific definition of a "school bus" in their vehicle codes. However, Delaware does provide that every bus used for the transportation of school children must be chrome yellow, marked with the words "school bus," and equipped with flashing lights. Kentucky defines "school bus" in its education laws as any motor vehicle which is used solely to transport children and complies with standards set forth by the State Board of Education.

Summary

1. Three states are closely patterned after the Uniform Vehicle Code definition of "school bus."

2. Nine other states have taken the same definitional approach as the UVC by employing criteria regarding use and identification.

3. Thirty-five jurisdictions employ a definitional approach based solely upon use criteria. Two of these jurisdictions have no definition specifically applicable to traffic regulations.

4. Four states do not define "school bus" in their vehicle codes.

5. The laws of fourteen jurisdictions generally exclude common carriers in the school bus definition, while the laws of another seven jurisdictions exclude common carriers only when transporting school children in conjunction with regular business.

SCHOOL BUS IDENTIFICATION

Color

Under the provisions of the Uniform Vehicle Code in order to be a school bus, a motor vehicle must comply with the color requirements of Minimum Standards for School Buses which provides that the color is to be national school bus chrome.[22] Thus, under the UVC all school buses must be painted yellow (national school bus chrome).[23] Likewise, school buses in those three states (Alaska, Texas and Wyoming) with definitions conforming with the UVC definition would be yellow in color as part of the definitional requirements. Of the other nine states which follow the basic approach of the Code definition, three (Connecticut, Georgia[24] and New Jersey[25]) provide in the laws referred to in the definition that a school bus must be yellow or national school bus chrome. Another state (Virginia) requires in the definition itself that school buses be yellow. Additionally, the laws of Connecticut and New Jersey provide that vehicles no longer used as school buses must be repainted a color other than yellow. Virginia does not require repainting of school buses per se but states that it is unlawful for any vehicle licensed in Virginia having a seating capacity of more than 15 persons to be operated on state highways if the vehicle is yellow, unless it is used in transporting students who attend public, private or parochial schools. New Jersey has both a provision for repainting, supra, and a provision stating that no motor vehicle designed for 16 or more passengers may be national school bus chrome unless it is a school bus. Another state (Florida) requires only that school buses be of a uniform color as approved by the State Board of Education with no further clarification as to a specific color. The four remaining states (Hawaii, Maryland, Oregon and Washington) do not specifically state particular color requirements applicable to school buses, although the state agency charged with school bus regulation may have promulgated such a standard.

Of the 35 jurisdictions defining a school bus solely on the basis of functional criteria, eleven require that a school bus be yellow in color:

Iowa[26]	Michigan	Pennsylvania	Wisconsin
Louisiana[27]	Minnesota[28]	South Carolina[30]	District of
Massachusetts	New York[29]	South Dakota[31]	Columbia

Louisiana, Minnesota, New York and South Carolina further require that former school buses must be repainted a color other than yellow.[32] South Dakota also requires repainting of former school buses but additionally prohibits the use of national school bus chrome on any vehicle unless it is a school bus. Iowa and Michigan do not require repainting but provide that only school buses may be painted the color known as national school bus chrome.[33] Wisconsin provides that it is unlawful to have any vehicle not a school bus painted in the manner specified by law for school buses.[34]

One additional state (Delaware), although not having any school bus definition, does require that school buses be painted yellow in color.

Two other states (Maine and Montana) may require a school bus to be yellow in color. Maine requires that certain school buses comply with uniform school bus standards which may provide that school buses are to be yellow in color.[35] Maine also provides that school buses complying with the standards as to color but no longer used for school purposes or not used as a school bus during any part of the current school year may retain the color, but may not be registered or licensed to operate in Maine until all markings and identification have been removed and the distinguishing lights have been rendered inoperative. Montana provides that minimum standards for the design, construction, and operation of school buses shall not be inconsistent with the minimum standards adopted by the National Commission on Safety Education.[36] Depending on the interpretation given to the requirements for "design, construction, and operation," a regulation not inconsistent with the minimum standards prescribed may require a school bus to be a yellow color.

Seven other jurisdictions do not specifically require that a school bus be yellow in color but do provide that former school buses must be painted some other color:

Arizona	Illinois[37]	Rhode Island
Idaho	Kansas	West Virginia
	Mississippi	

Two other states (Arkansas and Tennessee) provide only that school buses are to be a uniform color approved by the state board of education. Arkansas further provides that it is unlawful to operate a former school bus or a motor vehicle

similar in shape to a school bus when painted the officially designated school bus color or with school bus identification. Another state (New Mexico) provides only that, unless the motor vehicle is painted a color other than that prescribed for school buses by the state board, a series of diagonal black stripes must be painted on the rear of a former school bus.

The remaining jurisdictions have no legal provisions specifically relating to color requirements for school buses:

Alabama	Kentucky	New Hampshire	Oklahoma
California	Missouri	North Carolina	Utah
Colorado	Nebraska	North Dakota	Vermont
Indiana	Nevada	Ohio	

Signs

Under provisions in the Uniform Vehicle Code, a school bus would be required to have identification signs. The Code provides that the identification of a school bus is to be in the form of signs mounted front and rear containing the words "School Bus" in letters of a specified size.[38] Highway Safety Program Standard No. 17 concurs with the UVC identification requirements but under the Standard any additional lettering on the front or rear of a school bus is specifically prohibited.[39]

Forty-seven states and the District of Columbia are in conformity with the UVC provision requiring a school bus to be identified by the words "School bus" on the front and rear of the vehicle.[40] The only states not in conformity are Alabama, Iowa, Nebraska and Texas, although both Iowa and Texas have provisions requiring identification in compliance with Minimum Standards for School Buses.[41]

Among the 47 conforming jurisdictions, however, 12 (Alaska, California, Connecticut, Michigan, Missouri, New Jersey, Ohio, Oklahoma, South Carolina, Virginia, Wyoming and the District of Columbia) require additional markings on the front and/or rear of a school bus. Alaska requires that the rear of the bus must have the admonition, in not less than 4" black letters on a white background, that it is "Unlawful to pass school bus while loading or unloading children."[42] California requires a sign, in at least 6"

letters, below the rear window containing the words "Stop When Red Lights Flash." Connecticut has a provision requiring that a school bus be marked with the words "School Bus - Stop on Signal" on both the front and rear of the vehicle.[43] Michigan requires that school buses operating outside of incorporated cities and villages or inside the same where traffic is controlled by local ordinance shall contain signs with respect to a driver's duty to stop. Missouri requires that the rear of each school bus be lettered with the words "State Law: Stop while bus is loading and unloading."[44] The New Jersey law states that a sign or legend must be displayed on the bus which will inform other drivers of the duty imposed upon them by law with respect to passing a school bus. Ohio law states that the word "Stop" must be lettered on the rear of the school bus in black letters not less than 10" in height. Oklahoma requires that the rear of a school bus contain the designation "School Bus - Stop on Signal" if the vehicle has a capacity of six or more passengers. South Carolina requires that every school bus display on the rear, in 8" letters, the words "School Bus, Stop - S.C. Law" and on the front between flashing amber stop lights, the words "School Bus."[45] Virginia requires that the words "School Bus, Stop, State Law" be printed in black letters at least 6" high on both the front and rear of the bus, but if space on the front is limited the letters may be 4" high. Wyoming law requires that the words "Stop on flashing lights" appear on the back of each school bus in 6" black letters on a white background. The District of Columbia requires the words "Stop on red signal" on the rear of a school bus in letters at least 8" high, unless the vehicle is designed to carry 15 or fewer passengers, then 4" lettering may be used.

Three states (Kentucky, North Carolina and Washington) require the use of school bus signs in conformity with the Code, but these states also accord the same rights and privileges given school buses to vehicles identified and used for other specified purposes.[46] Kentucky provides that provisions applicable to vehicles marked as school buses also apply to vehicles with the identification "Church Bus." Similarly, North Carolina applies the same regulations to vehicles identified as "Church Bus," "Temple Bus" or "Sunday School Bus." Washington provides that a bus identified as a "Private Carrier Bus" is treated the same as a school bus.

The Uniform Vehicle Code provides that when a school bus is being operated upon a highway for purposes other than the

actual transportation of children either to or from school all markings indicating "school bus" must be covered or concealed. Thirteen states are in substantial conformity with this Code provision:[47]

Arizona	Hawaii	Montana[48]	Pennsylvania
Arkansas	Kansas	North Dakota	Rhode Island
Delaware	Massachusetts	Oklahoma	West Virginia[49]
			Wyoming

Eleven other states have similar requirements, but allow display of identification signs while the bus is transporting pupils to or from a school activity as well as to or from school. Seven of these states (Idaho, Illinois, Maryland, New Jersey,[50] New Mexico, South Dakota and Wisconsin) require the sign to be covered or concealed when the bus is operating for other purposes, while four (Alaska, Connecticut, New York and Oregon) provide that identification signs may be displayed only when the bus is being used to transport children to or from school or a school activity.

Five other states have similar requirements but allow display of the identification signs whenever the vehicle is used for the transportation of school pupils for any purpose. Three of these states (Missouri, New Hampshire and Vermont) require the signs to be covered or concealed when the bus is operating for other purposes, and two (California and South Carolina) allow display of identification signs only when the bus is being used to transport school pupils.

Finally, five states allow the display of identification signs whenever the vehicle is being "used as a school bus," with no further description of that use. Three (Indiana, Maine and Minnesota) require covering or concealing the signs at other times. One state (Iowa) provides that vehicles owned by private parties and used as school buses shall have the lettering covered when not used as a school bus. Two states (Kentucky and Mississippi) provide that the signs may be displayed only when the vehicle is being used as a school bus.

The remaining 16 jurisdictions have no provisions requiring the concealment of school bus signs:

Alabama	Louisiana	North Carolina	Utah
Colorado	Michigan	Ohio	Virginia
Florida	Nebraska	Tennessee	Washington
Georgia	Nevada	Texas	District of Columbia

Summary

1. Nineteen jurisdictions have laws expressly requiring school buses to be yellow in color. Seven of these states would require a vehicle no longer being used as a school bus to be painted a color other than yellow and two others make it unlawful for certain vehicles to be yellow.

2. Eight states, though not specifying that school buses be yellow, nevertheless do provide that former school buses must be repainted.

3. Forty-seven jurisdictions require "School Bus" signs and two others require identification in compliance with Minimum Standards for School Buses, which requires essentially the same signs.

4. The laws of 34 states provide that school bus signs are to be displayed only at certain times.

STOP SIGNALS

Equipment Requirements

Under the provisions of the Uniform Vehicle Code, every school bus must have two alternately flashing red lights on the front and two alternately flashing red lights on the rear located as high and as widely spaced as practicable. The lights must be of a type visible at 500 feet in normal sunlight.[51] Additionally, the Code provides that any school bus equipped with these red lights may be equipped with alternately flashing yellow lights mounted near each of the four red lamps. These lights are to be located at the same level as the red lights but closer to the vertical center line of the school bus, and must be of a type visible at 500 feet in normal sunlight.[52] The driver of a school bus is to actuate the flashing yellow lights from 100' to 500' before every stop at which the flashing red lights will be actuated.[51]

Federal Highway Safety Program Standard No. 17 requires that a school bus be equipped with a system of signal lamps that conforms to the school bus requirements of Federal Motor Vehicle Safety Standard 108.[53] Federal Motor Vehicle Safety Standard 108 and the UVC concur on the type of signaling system to be used on school buses -- either a system composed of four

flashing red lights or a system composed of eight flashing lights, four red and four yellow ones.

Fifteen jurisdictions are in substantial conformity with the Code provision requiring a school bus to be equipped with alternately flashing red lights:

Alaska	Illinois	North Dakota	Vermont[55]
Colorado[54]	Louisiana	Oklahoma	Washington
Delaware	Michigan	South Carolina	District of
Hawaii	Montana	Texas	Columbia

Two of the above states (Alaska and Montana) also provide for the use of alternately flashing amber lights in conjunction with the red lights, but unlike the Code provision, amber lights are required equipment on school buses in these states. Alaska requires that the amber lights be actuated 300 feet before stopping to load or unload a school child at a stop where the red signals are required.[56] The Alaska law also specifically states that the flashing amber lights are to be automatically discontinued upon opening the door of the school bus and activating the red flashing lights. Alaska requires the amber lights only on buses with a manufacturer's rated capacity of 24 or more students. Buses with this capacity are also required to be equipped with a stop arm mounted on the left side which is automatically extended when the flashing red lights are actuated.[57] Furthermore, two additional alternately flashing red lights are to be mounted on the left end of the stop arm so as to be visible to the front and rear and actuated whenever the arm is fully extended.[58] Montana provides that alternately flashing amber lights are mandatory equipment on all school buses. Montana deviates somewhat from the Code provision by providing that the amber lights are to be actuated 150 feet in cities and 500 feet in other areas before the bus is stopped to receive or discharge children. Two more states in this group (Louisiana[59] and Washington[60]) require the use of a stop arm in conjunction with the flashing red lights and Vermont provides that a stop arm with flashing red lights, to be used in conjunction with the flashing red lights, is optional equipment.

Eight more states (Arkansas, Georgia, Iowa, Maryland, New Hampshire, Pennsylvania, South Dakota and Utah) have provisions similar to the Uniform Vehicle Code requirement that school buses be equipped with alternately flashing red lights.

Arkansas requires that every new school bus purchased after 1965 must be equipped with two red alternately flashing lights on the front and two red alternately flashing lights on the rear. The front lights must be mounted above the windshield on the right and left sides of the bus, and the rear lights above the rear windows on the right and left sides of the bus, in such a position as to be plainly visible to other vehicles approaching from any direction. Unlike the Code provision, however, Arkansas has no requirement that the lights be visible at 500 feet in normal sunlight but the law does specify that the lights shall flash at the rate of 60 to 120 cycles per minute. Georgia requires every bus used for the transportation of school children to be equipped with four hooded or recessed red flasher lights, two mounted on the front above the windshield and two mounted on the rear above the rear windows. The law does not specifically state that the lights are to be alternately flashing lights, nor does it specify that the lights must be visible at 500 feet in normal sunlight. The Iowa law does not specifically state that all school buses must be equipped with a system of flashing red lights, but instead provides that lighting equipment shall conform insofar as practicable to Minimum Standards for School Buses. Compliance with these provisions requires that school buses be equipped with two alternately flashing red lamps at the rear of the bus.[61] Maryland requires that every school bus be equipped with signal lamps mounted as high as practicable, which shall be capable of displaying to the front or rear flashing red lights of sufficient intensity to be visible at 500 feet in normal sunlight. Although nothing in this equipment provision specifically indicates that these lights are to be alternately flashing, other provisions of Maryland law refer to these required lights as alternately flashing red lights. None of the provisions, however, specifies that two lights are to be mounted on the front of the bus and two on the rear. New Hampshire law provides that certain school buses are to be equipped with four automatic flasher-type stop lights, two of which shall be located on the front and two on the rear.[62] Although this provision does not specify red lights, further provisions in New Hampshire law refer to the required lights as flashing red warning stop lights. None of the New Hampshire provisions refers to mounting height of the lights nor do any of the provisions specify a visibility requirement. Pennsylvania requires that school buses be equipped with two alternately flashing signal lamps visible from the front and two alternately flashing signal lamps visible from the rear, each showing a flashing red light.[63] Pennsylvania law, like the

UVC light provisions, requires that the signal lamps be mounted as high as practicable upon the body of the bus. Pennsylvania, however, requires only that the alternately flashing lights be plainly visible to operators of approaching vehicles in normal sunlight and at night from a distance of 100 feet to the front or rear. Two states (South Dakota[64] and Utah) require that school buses be equipped with alternately flashing red signal lights on the front and rear of the bus, but neither law contains any details as to the number of lights, their location on the bus, or a visibility requirement in normal sunlight.

One of the above states (Pennsylvania) requires school buses to be equipped with two alternately flashing amber lights visible from the front and two alternately flashing amber lights visible from the rear which are to be activated not more than 300 feet nor less than 150 feet from the bus stop and until the bus stops. These amber light provisions do not specifically state where they are to be mounted relative to the location of the flashing red lights, nor is there any requirement that the amber lights be visible at 500 feet in normal sunlight. Another state (Iowa), which requires conformity with the lighting provisions of Minimum Standards for School Buses, apparently requires that school buses be equipped with an alternately flashing amber light system in conjunction with alternately flashing red lights.[65] Although the Minimum Standards for School Buses provides that each state may adopt either an all red system or a red and amber system, further provisions of the Iowa law indicate that the combination system is required. The mounting and manner of operation of the alternately flashing amber lights under Minimum Standards for School Buses are comparable to the UVC provisions.

Two of the above states also provide for the use of a stop arm. Georgia requires that a school bus be equipped with a stop arm to be used in conjunction with the flashing red lights.[66] An Iowa law specifies that the rules prescribed for school buses shall include standards for stop signal arms in conformity with the Minimum Standards for School Buses. Under this standard, a stop arm may be installed on the left side of a school bus and, if a stop arm is used, it must contain alternating flashing red lamps which show both to the front and to the rear. Other provisions of Iowa law indicate that the stop arm is required equipment on school buses.

Eleven more states specifically require that the school buses be equipped with a flashing red light warning system

although the respective provisions are not closely patterned after those in the UVC:

California	Maine	Nevada	Wisconsin
Florida	Massachusetts	New Jersey	Wyoming
Idaho	Minnesota	New York	

California requires only that school buses when operated for the transportation of school children shall be equipped with flashing red light signal systems. The Florida law provides that each school bus shall be equipped with signal lamps mounted laterally as high as practicable, which shall be capable of displaying on the traffic side to the front and rear two alternately flashing lights, one red and one amber.[67] Two states (Idaho and Wyoming) provide that standards and specifications applicable to school bus lighting equipment shall designate and require the use of flashing red warning signal lights. Maine provides that each bus shall be equipped front and rear with flashing red lights. Massachusetts requires that each school bus be equipped with front and rear red blinker lights. Minnesota requires that every school bus with a seating capacity in excess of 12 persons be equipped with flashing red signals, with no further clarification as to the number or location of the lights. School buses having a seating capacity for 12 or fewer persons must be equipped front and rear with alternately flashing amber signals. Nevada law requires that every school bus shall be equipped with a flashing red light signal system. New Jersey requires that every bus, when being used to transport children to and from school, be equipped with electric identification and warning lamps which will exhibit a flashing red light.[68] The New York law provides that every school bus shall be equipped front and rear with colored flashing signal lamps conforming to regulations prescribed by the commissioner, including at least one flashing red signal lamp on the front and at least one flashing red signal lamp on the rear.[69] Wisconsin requires that school buses must be equipped with flashing red signals of a type and actuated in a manner approved by the Administrator of Motor Vehicles.

Though widely used in New Jersey, none of the above 11 states has any provisions in their laws relating to the use of amber lights in combination with alternately flashing red lights comparable to the UVC provisions. However, two of these states (Idaho and Minnesota[70]) require that a school bus be equipped with a stop arm.

The laws of three other states (Connecticut, Missouri and North Carolina) require a school bus to be equipped with an electrical warning device but, unlike the UVC, do not specifically require that the signal is to be an alternately flashing red light nor do they have any provisions specifying the location of the signals. Connecticut requires that each school bus be equipped with special automatic electrically operated flashing stop signals which may include automatic traffic signaling devices showing red, green, and amber lights. Missouri provides that each school bus shall be equipped with a mechanical and electrical signalling device which will display a signal plainly visible from the front and rear. North Carolina provides that no school bus shall be operated for the transportation of pupils unless it is equipped with an alternating flashing stop light on the front of the bus and an alternating flashing stop light on the rear of the bus. Also, North Carolina apparently requires a stop arm in conjunction with the flashing light.[71]

Another state (Virginia) provides as part of the definitional requirements that a motor vehicle, in order to be a school bus, must be equipped with a warning device. The Virginia law has no specifics as to the form of this warning device, although other laws state that alternating red lights are permissible on a school bus.

One state (Kansas) requires a school bus to be equipped with visual signals but does not indicate whether this equipment is a mechanical or an electrical signal, although other provisions of Kansas law refer to both stop arms and flashing lights.

Two states (Arizona[72] and Kentucky[73]) require only that a school bus be equipped with a stop sign. However, Arizona provides that the state highway commission may designate and permit the use of flashing warning signal lights on a school bus. Kentucky specifically permits the use of red flashing lights on school buses.

Unlike the equipment provision of the UVC and the preceding states, the remaining 10 states do not specify that all school buses must be equipped with a particular type of stop signal:

Alabama	Nebraska[74]	Ohio	Rhode Island
Indiana	New Mexico	Oregon	Tennessee
Mississippi			West Virginia

Several of these states, however, do have provisions relating to (but not requiring) signaling equipment to be used on school buses. Indiana provides that the State School Bus Committee is authorized to adopt standards and specifications applicable to lighting equipment on school buses. Mississippi provides that school buses may have red lighting devices, front and rear, which blink when the bus is in the process of loading or unloading children. New Mexico and West Virginia provide that standards and specifications adopted by the commissioner of motor vehicles may designate and permit the use of flashing warning signal lights on school buses. Tennessee provides that flashing red lights are permitted on school buses.

Equipment Specifications

Under the Uniform Vehicle Code, the commissioner of motor vehicles is authorized to adopt standards and specifications which conform as nearly as possible to Society of Automotive Engineers (SAE) specifications applicable to lighting equipment and warning devices carried by school buses.[75/]

The laws of 13 states are in substantial conformity with the UVC provisions:

Arizona	Louisiana	North Dakota	Utah
Connecticut	Maryland	Oklahoma	Washington
Indiana	New Mexico	Texas	West Virginia
			Wyoming

Some differences are found in four of these states (Oklahoma, North Dakota, Utah and Washington) concerning the personnel authorized to set the standards. Oklahoma provides that the Commissioner of Public Safety and the State Board of Education are authorized to adopt the standards and specifications. North Dakota and Utah provide that adoption of standards and specifications of standards are to be a cooperative effort between the Chief Vehicle Administrator of the state and the State Board of Education. Washington provides that the State Equipment Commission is to adopt the requirements for lighting devices and warning devices. Connecticut does not provide that the standards comply with SAE specifications.

The laws of 19 other states have a provision requiring the approval of lights or warning devices, but they lack close similarity to the Code provisions:

Arkansas	Kansas	Montana	North Carolina
Florida	Kentucky	Nevada	South Dakota
Georgia	Maine	New Hampshire	Vermont
Idaho	Massachusetts	New Jersey	Virginia
Iowa	Minnesota	New York	

Seven of these states (Kansas, Maine, Massachusetts, Nevada, New Hampshire, New York and Vermont) provide that the warning devices and/or lighting equipment must be approved by the commissioner of motor vehicles (or his counterpart depending on state nomenclature). The laws of seven more states (Florida, Georgia, Iowa, Kentucky, New Jersey, North Carolina and South Dakota) provide that the lighting systems or warning devices are to be approved by the state board of education, although Iowa additionally states all specifications are to conform with Minimum Standards for School Buses. One state (Minnesota) requires that the signals used on a school bus be approved by the State Board of Education and the Commissioner of Public Safety. The laws of two other states (Montana and Virginia) provide that school bus warning devices are to be prescribed by the state board of education in conjunction with the supervisor of the state police. Two states (Arkansas and Idaho) have no provision concerning approval of warning devices, but both require that the red flashing lights meet SAE specifications.

The remaining 19 jurisdictions have no special provisions on equipment specifications for school buses but may accomplish the same objective under other provisions relating to lighting devices used on motor vehicles generally:

Alabama	Hawaii	Nebraska	South Carolina
Alaska	Illinois	Ohio	Tennessee
California	Michigan	Oregon	Wisconsin
Colorado	Mississippi	Pennsylvania	District of
Delaware	Missouri	Rhode Island	Columbia

Use of Signals

Under provisions of the Uniform Vehicle Code, every school bus must be equipped with red visual signals which may be actuated by the school bus driver whenever, but only whenever, the bus is stopped on the highway for the purpose of receiving or discharging school children. Actuation of the visual signals is prohibited, however, in business districts and on urban arterial streets designated by the highway commission or local

authorities, at intersections or other places where traffic is controlled by traffic control signals or police officers, or in designated school bus loading areas where the bus is entirely off the roadway.[76/] Though no state is in conformity with all of these UVC provisions as revised in 1971, many states have provisions in partial conformity.

Eighteen states require the use of school bus stop signals whenever the bus is stopped to receive or discharge passengers, and do not otherwise permit or require the use of such lights:

Alaska	Massachusetts	New York	South Dakota
California	Montana	North Dakota	Tennessee
Delaware	Nevada	Oklahoma	Utah
Hawaii	New Jersey	Pennsylvania	Vermont
Iowa			Washington

Four of these states (Alaska, Iowa, Montana and Pennsylvania) do have provisions relating to the use of amber warning lights before the school bus stops and the bus driver actuates red stop signals. Additionally, Alaska, Iowa and Washington require a stop arm in conjunction with flashing red lights when but only when the bus is stopped. California and Utah require red flashing lights only when the bus is stopped for the purpose of loading or unloading children who must cross a highway. However, Utah also requires the bus driver to operate the flashing red lights at any other time when it would be hazardous for traffic to proceed past the stopped bus. Similarly, Nevada requires the driver of a school bus to actuate the flashing red lights in an emergency. One state (Vermont) provides that an optional stop arm with flashing red lights shall be used only when the school bus is stopped. With the exception of Tennessee, which refers to a stop arm, all of the other states specify either flashing red lights or flashing lights as the prescribed signal to be used when the bus is stopped.

Three other states (Arizona, Indiana and New Hampshire) do not require the use of visual signals when a school bus is stopped, but do have provisions which permit the use of signals only when a school bus is stopped to receive or discharge school children. In this respect, these three states apparently agree with the Code objective of allowing the bus driver discretion as to when visual signals are to be in operation. In these states, a bus driver may actuate visual signals only when a bus is stopped to receive or discharge school children,

but he is not required to do so at every such stop in substantial accord with recent changes in the Uniform Vehicle Code.

Fifteen jurisdictions provide that the signals must be actuated prior to the time when the school bus stops on the highway as well as during the time when passengers are being received or discharged. Three states (Kentucky, Louisiana and Wyoming) provide only that signals are to be actuated by the bus driver when the school bus is stopping. However, twelve jurisdictions provide that visual signals are to be actuated by the bus driver while receiving and discharging passengers and at the following distances prior to any such stop:

Arkansas	300'	
Colorado	200'	
Connecticut	50'	
Idaho	300'	
Illinois	100'	in business or residence district
	200'	outside business or residence district
Maine	100'	
Maryland	100'	
Michigan	200'	
Minnesota	100'	in business or residence district
	300'	outside business or residence district
Virginia[77/]	100'	if speed limit is less than 35 mph
	200'	if speed limit is 35 mph or more
Wisconsin	100'	
District of Columbia	50'	

One of the above (Idaho) requires the school bus driver to display a stop arm only after the bus has come to a complete stop unless he knows the flashing lights are inoperative, in which case the stop arm may be used as a substitute for the flashing lights. Idaho also permits the use of red flashing lights in an emergency. Louisiana provides that the flashing warning lights on a school bus may be used at a railroad crossing. Another state, Minnesota, also requires the use of a stop arm when the school bus is stopped. All of these states, with the exception of Kentucky, which refers to a stop arm,

provide that the signals are flashing red lights or flashing lights. Under the Uniform Vehicle Code, these special flashing red lights are to be used only after the bus has stopped as an indication to other drivers that they must stop. Their use on moving school buses is a serious and dangerous departure from the Code.

Four other states (New Mexico, North Carolina, Oregon and West Virginia) permit the use of visual signals when a school bus is stopping, and while it is stopped, to receive or discharge school children, but do not require use of the signals at every such stop. These states apparently allow the school bus driver discretion as to when to operate the flashing lights and in this respect are like the UVC provisions. However, these laws are unlike the UVC in that the signals may be operated prior to the time the school bus stops. With the exception of North Carolina which refers to a mechanical signal, these laws indicate that the signals are red flashing lights or flashing lights.

One state (Georgia) provides that red flashing lights must flash when the bus is stopped to receive or discharge passengers. However, Georgia also provides that a bus driver must operate flashing warning lights only when a school bus is stopped or approaching a stop to receive or discharge school children. Apparently Georgia permits but does not require the lights when a school bus is stopping. On the other hand, the light must be used when the bus has stopped.

One other state (Texas) does not require a school bus driver to actuate visual signals at any time. Texas law provides that flashing warning lights must be actuated only when a school bus is stopped on a highway for the purpose of permitting children to board or alight from the bus. But, another provision of the law states that the lights are to be used only when a bus is being stopped or is stopped for the purpose of permitting school children to board or alight. Thus, the legality of the use of the lights while in the process of stopping is unclear in Texas.

The remaining nine states have no laws specifically requiring the use of a visual signal nor any provision circumscribing when a visual signal may be used:

Alabama	Mississippi	Ohio
Florida	Missouri	Rhode Island
Kansas	Nebraska	South Carolina

The Uniform Vehicle Code provides that school buses may be equipped with alternately flashing amber lights and that they must be actuated 100 feet but not more than 500 feet before every stop at which the red lights are used.[78] Four states (Alaska, Iowa, Montana and Pennsylvania), like the Code, require a school bus driver to operate flashing amber lights before every stop where red lights are to be actuated and specify where the bus driver is to begin the actuation of the amber signals. All of these states provide that the amber lights are to be actuated prior to and until the actuation of alternately flashing red lights which are used only after the bus has stopped. Alaska requires that the bus driver actuate the flashing amber lights 300 feet before stopping to load or unload a school child. The law in Iowa provides that the driver of a school bus must operate the amber lights not less than 300 feet nor more than 500 feet from the point where pupils are to be received or discharged. Montana provides that amber flashing lights are to be actuated approximately 150 feet in cities, and approximately 500 feet in other areas before the bus is stopped to receive or discharge school children. The Pennsylvania law provides that a bus driver must start operating the alternately flashing amber signal lights not more than 300 feet nor less than 150 feet before stopping to pick up or discharge school children and until the bus is stopped.

Generally, under the Uniform Vehicle Code, the operation of the red visual signals is left to the school bus driver's discretion. However, the Code provides three specific areas where the bus driver is not to actuate the flashing red lights: (1) business districts or designated arterial streets, (2) intersections or other places where traffic is controlled either by an officer or signal, and (3) where the bus is entirely off the roadway in a designated loading area.[79] Though no state is entirely in conformity with all of these Code provisions, eight states do specify times when the flashing red lights are not to be operated:

Alaska	Hawaii	Minnesota	Washington
California	Michigan	South Dakota	Wisconsin

Two states (Alaska and Washington) provide that flashing lights are not to be actuated when a child does not have to cross a highway and the school bus is stopped completely off the roadway, or at an intersection where traffic is controlled by a signal or police officer, or when the bus is stopped at a school

and the children are not required to cross the roadway. California specifically provides that red lights are not to be actuated at an intersection where traffic is controlled by an officer or signal. Two states (Hawaii and South Dakota) specifically provide that red lights are to be operated whenever, but only whenever, a school bus is outside of a business or residence district. Michigan provides that they shall not be actuated inside of incorporated cities or villages unless there is a local ordinance to that effect.[80] One other state (Minnesota) provides that bus drivers may not actuate flashing signals in residence or business districts of cities, villages, and boroughs except when directed by the local school administrator, where the bus is in a special loading area entirely off the traveled portion of the road, or when the bus is used on the highway for purposes other than the transportation of school children. Wisconsin provides that school bus operators shall not use the flashing red warning lights in special school bus loading areas where the bus is entirely off the traveled portion of the highway or in residence or business districts when pupils are to be loaded or unloaded where there is a sidewalk and curb on both sides of the road.

Summary

1. Thirty-four jurisdictions have laws expressly requiring that a school bus be equipped with red signal lights. Three other states require electric signaling devices without specifically requiring them to be red.

2. Eight states require school buses to have stop signal arms, and two of these do not also require special flashing lights.

3. Five states require that school buses be equipped with a yellow warning light system in addition to red stop signal lights.

4. Ten states do not specifically require school buses to be equipped with any type of stop signal devices, either electrical or mechanical.

5. Thirty-two states have laws expressly dealing with standards for school bus lighting equipment.

6. Twenty-one states are in conformity with the UVC provision which permits the use of visual signals only when a bus

has stopped to receive or discharge school children. However, 18 of these states, unlike the UVC, provide that the operation of visual signals by the school bus driver is mandatory whenever he stops to receive or discharge children.

7. Three states provide for the mandatory use of alternately flashing amber lights prior to the time the bus driver actuates alternately flashing red lights.

8. Nineteen jurisdictions permit the operation of red or special signals on a school bus prior to stopping and while stopped. Fifteen jurisdictions provide that the use of signals by the bus driver is mandatory.

9. One state permits the use of visual signals prior to a stop but requires their use only when the bus is stopped. One other state does not require a bus driver to activate signals at every stop to receive or discharge children, but the law is unclear with regard to when actuation of signals is permitted.

10. Nine states have no provision relating to when a school bus driver may or is required to actuate visual signals.

11. Eight states have provisions prohibiting the actuation of visual signals in certain areas.

OVERTAKING AND PASSING A SCHOOL BUS

Stopping Requirement

The Uniform Vehicle Code requires the driver of any vehicle to stop before reaching a school bus which is stopped on the highway and displaying alternately flashing red lights. The driver must remain stopped until the lights stop flashing, the bus resumes motion or until he is signaled to proceed by the school bus driver. However, on a highway with separate roadways, a driver need not stop upon meeting or passing a school bus which is on a different roadway and need not stop on a controlled access highway if the school bus is stopped in a special loading zone where pedestrians are not permitted to cross the highway.[81]

All 51 jurisdictions have laws requiring drivers to stop for school buses, but the specific requirements vary substantially. These laws are discussed below with respect to when

a stop must be made, where a stop must be made, the duration of the stop, and the provisions negating the requirement for a stop on separate roadways or controlled access highways.

When To Stop

The laws of two states (Colorado[82/] and Michigan) require other drivers to stop for a school bus which is stopped on the highway and displaying alternately flashing red lights and thus conform substantially with the Uniform Vehicle Code.

The laws of eight states provide that a school bus must be stopped on the highway for the purpose of receiving or discharging passengers and must be displaying alternately flashing red lights before an approaching driver is obligated to bring his vehicle to a stop. These eight laws differ from the Code only by specifying the reason why the bus is stopped:

Delaware	Illinois	North Dakota	Texas
Hawaii	Montana	South Dakota	Utah

Seventeen states have similar laws which require stopping for a stopped school bus which is displaying specified stop signals. These laws differ from the Code in terms of the signals specified. The laws of 11 of these states (marked with an asterisk in the list below) also differ from the Code by specifying that the purpose of the school bus stop must be to receive or discharge passengers in order for the stopping requirement to apply. These 17 states are:

Alaska*	Kansas*	Nevada*	Oregon
California*	Massachusetts*	New Mexico*	Washington*
Florida	Minnesota*	New York*	West Virginia*
Idaho	Missouri*	North Carolina	Wisconsin
Iowa			

Six of these 17 states specify that the stop signal is to be a red signal light system, but do not specifically require alternately flashing lights:

California	Nevada	Oregon[83/]
Massachusetts	New York	Wisconsin

Four of the 17 states (Florida, Kansas, New Mexico and West Virginia) require a stop signal but do not specifically require an alternately flashing red light system. Instead, Florida provides that upon approaching any school bus which

is used in transporting school pupils to or from school and which displays a "stop signal," a driver must bring his vehicle to a complete stop while the bus is stopped.[84] Kansas requires a driver to stop whenever a stop signal which meets standard requirements approved by the Highway Commission is displayed. New Mexico requires a stop when "special school bus signals" are displayed. The law in West Virginia provides that a driver is to stop when "flashing warning signal lights" are in operation.

Four of the 17 states require that a mechanical signal as well as an electrical signal light must be displayed by the bus before drivers are required to stop. Alaska and Washington require the school bus to display both a stop arm and alternately flashing red lights. Minnesota requires both a stop arm and flashing red signals, but does not specifically require alternately flashing lights.[85] Missouri requires that the bus driver give signals in the manner prescribed by law, and the law requires "mechanical and electrical signaling devices" without further description.

Three of the 17 states (Idaho, Iowa and North Carolina) condition an approaching driver's duty to stop for a stopped school bus upon the display of a stop signal arm on the bus. These states require that the school bus be stopped and displaying a stop arm before a driver must stop.

Seven states require drivers to stop for a school bus when the bus displays a stop signal but these seven states do not specifically require that the school bus must be stopped in order for the requirement to apply. Three of these states (Louisiana, Maryland and Wyoming) provide that a driver meeting or overtaking a school bus which has stopped or is about to stop to receive or discharge passengers must stop when the bus displays stop signals. The Louisiana law refers to alternately flashing red lights or a flag. Maryland refers to alternately flashing red signals, and the Wyoming law refers to "red flashing warning signal lights." Three other jurisdictions (Connecticut, Rhode Island and the District of Columbia) condition an approaching driver's duty to stop solely upon the display of flashing lights with no provision that the bus must be either stopped or in the process of stopping. Connecticut law specifies the display of "flashing signal lights," Rhode Island specifies "flashing red lights," and the District of Columbia specifies "alternately flashing red lights." Another state (Nebraska[86]) conditions the duty to stop solely upon

the display of a stop signal arm without requiring that the school bus be stopped or in the process of stopping.

Seventeen states require drivers to stop for a stopped school bus but do not require any type of signaling device. Sixteen of these states require other drivers to stop whenever a school bus stops for the purpose of receiving or discharging school children:

Alabama[87/]	Kentucky	New Jersey	South Carolina
Arizona	Maine	Ohio	Tennessee
Georgia	Mississippi	Oklahoma	Vermont
Indiana	New Hampshire	Pennsylvania	Virginia[88/]

Two of these states (New Jersey and Pennsylvania) provide that whenever a school bus is parked at a curb for the purpose of receiving children directly from a school or discharging children to enter a school which is located on the same side of the street, drivers of vehicles are permitted to pass the school bus without stopping but at a speed not in excess of 10 or 15 miles per hour, respectively. The law of one other state (Arkansas) requires that when a school bus stops (apparently for any purpose) every operator of a motor vehicle must bring his vehicle to a full stop before proceeding and in the event the school bus is receiving or discharging passengers he must remain stopped.

Where To Stop

Under provisions of the Uniform Vehicle Code, the driver of a vehicle who is required to stop for a school bus must stop before he reaches the bus.[89/]

The laws of 23 states are in substantial conformity with the Code provision:

Alaska	Illinois	New York	Texas
Arizona	Kansas	North Dakota	Utah
Colorado	Louisiana	Rhode Island	Washington
Delaware	Maine	South Carolina	West Virginia
Georgia	Massachusetts	South Dakota	Wyoming
Hawaii	Missouri	Tennessee	

Four other states (California, Indiana, Oklahoma and North Carolina) provide that a driver must stop before passing the stopped school bus. One additional state (Oregon) provides

that a driver is to stop before reaching a point in the highway extended from the front or rear of the bus across the highway at right angles to the center line of the highway.

The laws of twelve other jurisdictions generally specify drivers must stop a stated minimum distance from the bus (10 feet, unless otherwise noted):

Connecticut	Minnesota (20)	Ohio
Idaho	New Hampshire (25)	Pennsylvania
Maryland	New Jersey	Wisconsin (20)
Michigan	New Mexico	District of Columbia (15)

One state (Iowa) provides that the driver of a vehicle meeting a school bus must bring his vehicle to a stop without specifying where the stop must be made. A driver overtaking a school bus from the rear must stop at least 15 feet from the school bus.

One other state (Montana) provides a requirement in conformity with the UVC provision in the vehicle code, but in another provision also concerning overtaking and passing school buses a minimum distance of 10 feet is specified.

Nine states have no provision relating to where a driver must stop when he is required to stop for a school bus:

Alabama	Kentucky	Nevada
Arkansas	Mississippi	Vermont
Florida	Nebraska	Virginia

Both Nevada and Vermont, however, specify that a driver is to stop "immediately."

Duration of Stop

Under the provisions in the Uniform Vehicle Code, a driver who has stopped for a school bus must remain stopped until the flashing red lights are no longer actuated, or the school bus resumes motion or until he is signaled by the school bus driver to proceed.[90]

Fifteen states are in substantial conformity with these Code provisions:

Alaska	Kansas	North Dakota	Washington
Delaware	Louisiana	South Dakota	West Virginia
Hawaii	Massachusetts	Tennessee	Wyoming
Illinois	New Mexico	Texas	

With the exception of Massachusetts, however, none of these states refers to flashing red lights. Kansas refers to a stop signal while New Mexico specifies special school bus signals. The remaining states all specify the termination of "visual signals" rather than flashing red lights.

The laws of five states (Maryland, Michigan, New Hampshire, Rhode Island and Wisconsin) conform with two of the UVC provisions relating to the duration of a driver's stop. In these states a driver may proceed if either the flashing red lights are no longer displayed or the bus resumes motion. Similarly, one other state (North Carolina) provides that a driver must remain stopped until a mechanical signal is withdrawn or the school bus has moved on and Nebraska provides that a driver must remain stopped until a stop arm is retracted and the school bus resumes motion or until signaled by the bus driver to proceed.

Eight jurisdictions provide that a driver's resumption of motion is conditioned solely upon the operation of flashing signal lights. In these jurisdictions, a stopped driver must remain stopped until the bus no longer displays flashing signal lights:

California	Connecticut[91/]	Oregon	Vermont
Colorado	Nevada	Utah	District of Columbia

With the exception of Connecticut, which refers only to signal lights, all of these jurisdictions provide that the signals are flashing red lights.

Similarly, one state (Minnesota) provides that a driver may not proceed until the school bus driver retracts a stop signal arm and extinguishes the red flashing signals. Another state (Florida) provides that a driver may not proceed until a signal is withdrawn without reference to the particular type of signal involved.

Seven states (Arizona, Georgia, Maine, Missouri, New York, Ohio and South Carolina) permit a driver to proceed when either the bus has resumed motion or the vehicle driver is signaled by

the school bus operator to proceed. One other state (Idaho) provides that a driver must remain stopped until a stop arm is retracted or until he is signaled by the bus driver to proceed; however, another Idaho law provides that a driver must remain stopped until the flashing red warning lights have been discontinued and the stop signal arm has been retracted.

Four states (Alabama, Arkansas, Indiana and Pennsylvania) generally provide that a driver who has stopped for a bus must remain stopped while the school bus is receiving or discharging passengers. Alabama provides that the driver must come to a complete stop while the school bus is engaged in taking on or discharging passengers. Arkansas requires the driver to remain stopped until the school bus is finished receiving or discharging passengers. Indiana provides that a driver may not proceed while children are alighting from or boarding a school bus. Pennsylvania provides that the driver must keep his vehicle stationary until every school child has entered the bus or until every child leaving the bus has alighted and reached the side of the highway.

Three other states (Kentucky, Mississippi and Virginia) generally provide that a driver must remain stopped until the school bus is finished receiving or discharging passengers and has resumed motion. Kentucky provides that a driver may not pass until the school bus has completed receiving or discharging passengers and has been put in motion. Mississippi requires that when a school bus is stopped to receive or discharge school children, drivers must stop and may not proceed until the school children have crossed the street and the bus has proceeded in the direction it was going. Virginia requires that when a school bus is receiving or discharging pupils, a driver must remain stopped until all children are clear of the highway and the bus is put in motion.

One other state (New Jersey) provides that a driver must remain stopped until the children have either entered the bus or alighted from the bus and reached the side of the highway and until a flashing red light is no longer exhibited on the bus.

Iowa provides that a driver who is required to stop when meeting a school bus from the front must remain stopped until the stop arm is retracted after which he may proceed with due caution. However, a driver overtaking a school bus from the

rear must remain stopped until the stop arm is retracted and the bus resumes motion or until he is signaled by the school bus driver to proceed.

Montana traffic laws provide only that a stopped driver may not proceed until the school bus resumes motion. Under laws dealing with the transportation of school pupils, however, Montana provides that a stopped driver must keep his vehicle stationary until the children have entered the bus or have alighted and reached the side of the highway on which they live and the school bus has resumed motion or until the driver has signaled traffic to proceed.

One state (Oklahoma) provides that when encountering a school bus receiving or discharging passengers, a driver must stop immediately before passing the bus but may then proceed past the bus at a speed which is reasonable and prudent, not exceeding 10 miles per hour, and with due caution for the safety of the children. This provision appeared in the Uniform Vehicle Code until 1948 when the requirement to stop and remain stopped was adopted.

Other Requirements

Sixteen states, in addition to any other prerequisites to an approaching driver's duty to stop, provide that the stopping requirements apply only if the school bus is properly identified as such by the display of "school bus" signs:

California	Kentucky	New Hampshire	South Dakota
Florida	Minnesota	New Jersey	Utah
Indiana	Mississippi	New York	Vermont
Kansas	Nevada	North Carolina	Virginia

Florida additionally requires that a school bus be identified in substantial accordance with provisions relating to color and equipment. Kentucky provides that stopping requirements also apply to a bus identified as a "Church Bus" as well as one identified as a school bus. Nevada provides that the stopping requirements apply only if the school bus is equipped with both signs and signals. New Hampshire requires signs or any other distinguishing identification the Department of Motor Vehicles may require before the stopping requirements apply. New York states that stopping requirements apply only if the school bus is marked and equipped according to other provisions relating to signs, color, and signal lights. North Carolina,

in addition to the requirement that school bus signs must be displayed, also provides that the stopping provision applies to any vehicle identified as a "Church Bus," "Temple Bus," or "Sunday School Bus." Vermont's stopping requirement applies only if the school bus is marked and also equipped according to provisions relating to signs and signal lamps. Virginia specifically states that its stopping provisions apply only to school buses equipped with warning devices and painted yellow with the words "School Bus, Stop, State Law" printed in black letters on the front and rear of the bus.

Locations Where Requirement Is Inapplicable

Divided Highways and Loading Zones

Under the Uniform Vehicle Code, the driver of a vehicle upon a highway with separate roadways need not stop upon meeting or passing a school bus on a different roadway. A driver is also relieved of any duty to stop on a controlled access highway when the school bus is stopped in a loading zone which is part of or adjacent to the highway, provided that passengers are not permitted to cross the roadway at this loading zone.92/

Of 46 jurisdictions with provisions relating to a driver's duty to stop for a school bus when the bus is on a different roadway, 33 are in substantial conformity with the UVC provision:

Alaska	Hawaii	Montana	South Carolina
Arizona	Indiana	Nevada	South Dakota
Arkansas	Kansas	New Mexico	Tennessee
California	Louisiana	North Carolina	Texas
Colorado	Maine	North Dakota	Utah
Connecticut	Maryland	Ohio	Virginia
Florida	Michigan	Oklahoma	Washington
Georgia	Minnesota	Rhode Island	West Virginia
			Wyoming

Both California and Nevada also provide that no stop is required at an intersection or other place where traffic is controlled by traffic control signals or police officers.

Two others (New Jersey and Pennsylvania) provide that on highways having dual or multiple roadways separated by safety islands or physical traffic separation installations, the driver of a vehicle on another roadway approaching a school bus shall reduce the speed of his vehicle to 10 mph (N.J.) or

15 mph (Pa.) and not resume normal speed until his vehicle has passed both the school bus and any child who has alighted from the bus or is about to enter the school bus.

Eleven other jurisdictions have provisions comparable to those of the UVC but, unlike the Code, all of these jurisdictions provide that the driver on a divided highway must be traveling in a direction opposite to that of the stopped school bus before he has no duty to stop:

Delaware	Iowa	Missouri	Wisconsin
Idaho	Kentucky[93]	Nebraska	District of Columbia
Illinois	Massachusetts	Oregon	

Three of these states, however, have no requirement that the roadways be physically separated. One state (Idaho) provides that a driver need not stop when meeting a school bus on a highway having more than three lanes.[94] Two others (Iowa and Oregon) provide that the stopping requirements do not apply to a driver who meets a school bus while proceeding in the opposite direction on a highway with two or more lanes for each direction.[95]

The Uniform Vehicle Code provisions also do not require a driver to stop when on a controlled access highway and the bus is in a loading zone adjacent to the highway where passengers are not permitted to cross the highway. Twenty states are in conformity with this provision on loading zones on controlled access highways:

Alaska	Illinois	Montana	Tennessee
Arizona	Kansas	New Mexico	Texas
Delaware	Louisiana	Oklahoma	Washington
Georgia	Maine	South Carolina	West Virginia
Hawaii	Missouri	South Dakota	Wyoming

The South Carolina provision eliminates the words "controlled access" altogether, thus providing that a driver is relieved of his duty to stop when a school bus is stopped in any loading zone where pedestrians are not permitted to cross the roadway.

Five states (Alabama, Mississippi, New Hampshire, New York and Vermont) do not expressly except drivers from stopping requirements when meeting a school bus on a highway with separate roadways or in a loading zone on a controlled access highway.

Urban Areas

The UVC stopping requirement applies throughout the state, although there are certain areas where a bus driver is directed to not use the alternately flashing lights (see the discussion under the sub heading "Use of Signals," supra). Unlike the Code, the laws of 11 states make the stopping requirement inapplicable within certain urban areas. Six of these states (Hawaii, Iowa, Mississippi, North Dakota, Oklahoma and South Dakota) provide that the stopping requirement does not apply in business or residence districts. The Iowa law provides that the requirement may be made applicable in such districts by ordinance and it specifically makes the requirement applicable in suburban districts of cities and towns where the speed limit is in excess of 35 miles per hour. Three states (Michigan, Montana and Ohio) provide that the requirement is inapplicable within incorporated cities, although two of these three (Michigan and Ohio) provide that such stopping may be required by local ordinance if signs giving notice of the local regulations are posted at all entrances to the affected area. Michigan also provides that the requirement is inapplicable at any intersection where traffic is controlled by a traffic light or an officer. Two states (New York and Maryland) make the stopping requirement inapplicable in specified urban areas, New York City, the City of Baltimore, and any Maryland town with a population over 100,000.

Advance Stop Warning

Although the Uniform Vehicle Code has no provision setting forth a driver's duties when a school bus has flashing advance stop warning lights in operation, four states (Alaska, Iowa, Montana and Nebraska) have provisions relating to an approaching driver's duty when yellow lights are flashing on a moving school bus. Three of these states provide that the stop warning lights are to be alternately flashing amber lights, while one specifies only "stop warning signal lights."

The Alaska law provides that a driver meeting or overtaking a school bus which is displaying flashing amber lights shall slow down and be prepared to stop but the driver may pass a school bus displaying alternately flashing amber lights provided he can do so safely. Iowa provides that a driver meeting a school bus on which the amber lights are in operation is required to reduce his speed to not more than 20 miles per hour and to bring his vehicle to a complete stop when the bus stops

and a signal arm is extended. However, the Iowa law provides that a driver overtaking a school bus from the rear shall not pass a school bus when red or amber lights are flashing and shall bring his vehicle to a complete stop when the bus stops and the stop arm is extended. The Montana law provides that the driver of a vehicle meeting a school bus preparing to stop as indicated by amber flashing lights must slow and proceed with caution. Nebraska requires that a driver approaching any school bus on which the stop warning signal lights are flashing must reduce the speed of his vehicle to not more than 25 miles per hour and must stop upon the display of the stop arm.

Summary

1. Two states are in substantial conformity with Uniform Vehicle Code provisions requiring a driver to stop when meeting or overtaking a school bus which is stopped and displaying alternately flashing red lights. Eight others are very similar, differing only by specifying that the purpose of the stop must be to receive or discharge passengers.

2. Seventeen states require a stop when a bus is stopped and a special signal is displayed. Eleven of these states also specify that the purpose of the stop must be to receive or discharge passengers.

3. Four of the above states require the display of both a stop arm and lights, while three others condition a driver's duty to stop solely on the display of an unspecified signaling device.

4. Seven jurisdictions provide that a driver must stop when a school bus is in the process of stopping and displaying a signal. Three of these jurisdictions also provide that the purpose of the stop must be to receive or discharge passengers.

5. Seventeen states have stopping provisions not dependent upon the display of a special stop signal. Sixteen of these provide that the bus must be stopped for the purpose of receiving and discharging passengers. One state requires a stop whenever a school bus stops on the highway.

6. Three states specify duties for drivers approaching a bus with alternately flashing yellow lights in operation.

7. Thirty-five jurisdictions are in substantial conformity with the UVC provision which provides that a driver need not stop when encountering a bus on a different roadway of a divided highway. Eleven jurisdictions are similar to the UVC provision but provide that the bus must be traveling in the opposite direction. Five states do not have a comparable exception.

SCHOOL BUS REGULATIONS

Under the provisions of the Uniform Vehicle Code, the state board of education by and with the consent of the motor vehicle commissioner is required to adopt and enforce regulations to govern the design and operation of all school buses owned and operated by any school district or privately owned and operated under a contract with a school district. By reference, all regulations are to be made a part of any school bus driver's contract with a school district. The Code also provides that every school district, its officers and employees, and every person employed under contract is subject to the regulations promulgated by the board. Also, any officer or employee who violates any regulation made by the state board, or who fails to include them by reference in any contract executed by him on behalf of the school district, is guilty of misconduct and subject to removal from office or employment. Likewise, any person operating a school bus under contract who fails to comply is guilty of a breach of contract and the contract is to be cancelled after notice of hearing by the responsible officer of the school district.[96/]

The laws of 20 states are in substantial conformity with these Code provisions. Those states are:

Arizona	Indiana	Montana	South Carolina
Arkansas	Kentucky	Nebraska[99/]	Utah
Colorado[97/]	Maryland	New Mexico	Washington[100/]
Delaware	Mississippi	Ohio	West Virginia
Hawaii[98/]	Missouri	Oklahoma	Wyoming

Three of these states (Arizona, Maryland and Utah) provide, however, that the regulations are to be adopted by the department of motor vehicles with the advice and consent of the state board of education. Two states (Hawaii and Missouri)

provide that the state department of education alone shall adopt and enforce rules concerning school buses. On the other hand, another state (New Mexico) provides that the Director of Transportation alone shall adopt rules concerning school buses, and Indiana provides that a special school bus committee is to set forth school bus regulations.

Seven additional states have comparable provisions, of which five of these seven states (Alabama, Iowa, Michigan, Minnesota and Texas) are in partial conformity with the UVC provisions. These states, however, have no provisions relating to the administrative action to be taken in the event either an officer or employee or a person under a contract violates any of the regulations made by the state board of education. A California law provides that the State Board of Education may adopt school bus regulations which, if approved by the Commissioner of the Highway Patrol, will be enforced by the Highway Patrol. California also provides that a bus which does not comply with Board of Education regulations may be prohibited from operating on public streets and highways and this order may be enforced by the Highway Patrol. Unlike the UVC, California does not specify the result, in terms of contract termination or removal from office, of a violation of a regulation.

Florida provides that any school bus which does not meet the regulations and requirements of the State Board of Education may be withdrawn from service until the regulations and requirements are met.

Thirteen states without laws expressly authorizing school bus regulations do provide that certain aspects of school bus regulations are to be under the direction of a specified state agency. Five of these states (Louisiana, New Jersey, North Carolina, North Dakota and Oregon) provide that regulations concerning the design and operation of school buses are to be under the direction of the State Board of Education and in this respect are comparable to the Code provisions. Three others (New Hampshire, Pennsylvania and Wisconsin) provide that design and operation are to be governed by regulations of the Department of Motor Vehicles. One state (Idaho) provides that regulations for school bus construction are to be set forth by the State Board of Education while regulations for operation are within the authority of the Department of Law Enforcement. Another state (Georgia) provides that the design of school buses is within the authority of the

State Board of Education, while Massachusetts provides that regulation of school bus design is under the jurisdiction of the Department of Motor Vehicles. Nevada provides only that equipment regulations are to be adopted by the State Board of Education. New York provides that regulations for school bus operation are under the authority of the Department of Motor Vehicles. The remaining 11 jurisdictions do not expressly authorize school bus regulations and do not specify an agency charged with responsibility for adopting them:

Alaska	Kansas	South Dakota	Virginia
Idaho	Maine	Tennessee	District of Columbia
Illinois	Rhode Island	Vermont	

Summary

Twenty states are in substantial conformity with UVC provisions on promulgating and enforcing school bus regulations and the effect of a violation of said regulations. Seven states have comparable provisions. Twenty-four jurisdictions have no laws comparable to the UVC provisions, although several specify a state agency charged with the responsibility of regulating school bus transportation.

FINAL SUMMARY

As noted in the Introduction, the Uniform Vehicle Code provides that a driver must stop for a school bus upon the concurrence of four conditions:

1. The bus must be yellow in color.
2. The bus must be displaying "school bus" signs.
3. Alternately flashing red lights must be in operation on the bus.
4. The bus must be stopped.

No jurisdiction conforms with all four Code requirements. However, nine states do have laws with provisions similar to all of the Code requirements:

Alaska	Michigan	South Dakota
Delaware	Minnesota	Texas
Massachusetts	New York	Wisconsin

Of these states, the laws of Delaware, South Dakota and Texas most nearly conform to the Code provisions, varying only by

expressly stating that a school bus must be stopped "for the purpose of receiving and discharging school children" before a driver is obligated to stop. Wisconsin varies from the Code provision only in that the signals required are flashing red signals instead of alternately flashing red signals. The Michigan law is generally in conformity with the Code provisions but the stopping requirement does not apply to school buses operated inside incorporated cities and villages unless there is a local ordinance to that effect. The other four states (Alaska, Massachusetts, Minnesota and New York) are in general conformity with all of the Code provisions but differ in their description of the stop signal and provide that the purpose of the stop must be to receive or discharge school children. Alaska requires the display of alternately flashing red lights and a stop arm while Minnesota requires flashing red lights and a stop arm. Massachusetts requires red blinker lights and New York requires at least one flashing red light.

Laws in many of the remaining jurisdictions conform with one or more provisions in the Uniform Vehicle Code. However, unlike the above nine states, the other 42 jurisdictions do not require all four Code conditions before drivers are required to stop and thus they do not conform with the Uniform Vehicle Code.

The other significant points developed in this Commentary are summarized below:

1. Twelve states have adopted the same approach as the Uniform Vehicle Code in defining what constitutes a "school bus." These states employ criteria regarding use and identification while 35 other jurisdictions employ a definitional approach based solely upon use.

2. Nineteen jurisdictions have laws requiring school buses to be painted a yellow color.

3. Forty-seven jurisdictions require special "School Bus" signs on school buses. Thirty-four of these provide that the identification is to be displayed only at certain times.

4. Thirty-four jurisdictions require that a school bus be equipped with red signal lights. Five of these states additionally require yellow lights.

5. Twenty-one states permit the operation of special school bus visual signals only after the bus has stopped. Unlike the Uniform Vehicle Code, nineteen jurisdictions permit the operation of special visual signals prior to the time a school bus stops.

6. Unlike the Code, at least 33 states require the school bus driver to actuate special stop signals whenever he has stopped to receive or discharge children.

7. Eight states prohibit the use of special school bus signals in certain areas.

8. Twenty-seven states provide that a driver's duty to stop for a school bus is conditioned upon the school bus being stopped and displaying a signal but, unlike the Code, seventeen states have stopping requirements that are not dependent upon the display of a signal.

9. Thirty-three jurisdictions conform with the UVC provision which provides that a driver need not stop when encountering a bus stopped on a highway with separate roadways. But five states do not expressly except drivers on a different roadway from the duty to stop for a school bus.

10. Forty states have laws authorizing the adoption of regulations governing the design or operation of school buses.

COMMENTS

The foregoing comparative material indicates that school bus regulation varies from state to state to a degree that could adversely affect the safe transportation of school pupils and the safe operation of other vehicles. Unlike inspection, licensing, or registration requirements, where drivers must generally comply with the laws of only one state, many drivers (whether nonresidents, tourists, commuters, or commercial drivers) are expected to know and comply with the school bus regulations of numerous states. This Commentary indicates that the degree of uniformity among state laws is not such that drivers could reasonably be expected to know these laws. Because of the wide variation of state laws, and the inherent vulnerability of school children and of any vehicle stopping on a highway, there can be no justification for the position

that everyone is presumed to know the law and therefore non-uniformity is not significant. Although this may be a convenient method of bypassing the problem and affixing legal responsibility, it does nothing to advance safety in the transportation of school pupils.

All jurisdictions have laws concerning school bus transportation but the variations are enormous. Because of increasing interstate mobility and increased busing of school children, there appears to be no valid alternative to a high degree of uniformity. School bus regulation must obtain a degree of conformity in basic requirements so that all drivers know what obligations they have when meeting or overtaking a school bus. Uniform regulations will promote the safety of passengers in the bus, pedestrians near the bus, and of drivers approaching school buses in all states. Thus, each state should amend its laws as soon as possible to conform with the school bus stopping provisions in the latest edition of the Uniform Vehicle Code.

CITATIONS TO STATE LAWS

Ala. Code tit. 36, §§ 1(39), 24, 58(33) (1959).
13 Alaska Adm. Code §§ 02.260, 04.090, 04.095, 04.150, 04.150, 10.295 (1971).
Ariz. Rev. Stat. Ann. §§ 28-141, 28-857, 28-900, 28-930 (1956).
Ark. Stat. Ann. §§ 75-402(e), 75-658(d), 80-1809 (1957); §§ 75-658 (a) - (c) (Supp. 1969).
Cal. Vehicle Code §§ 545, 22112, 22454, 25257, 27906 (1971); Cal. Education Code §§ 16852, 16855 (1969); 16851 (Supp. 1971).
Colo. Rev. Stat. Ann. §§ 13-5-83, 13-5-84(2), (3) (1964); §§ 13-1-1(46), 13-5-84(1), 13-5-101 (Supp. 1969).
Conn. Gen. Stat. Ann. §§ 14-275(a), (b), 14-279, 14-280 (1970); 14-275(c) as amended by Conn. Gen. Laws 1971, CCH ASLR 103 (1971); 14-277 as amended by Conn. Gen. Laws 1971, CCH ASLR 755 (1971).
Del. Code Ann. tit. 14, §§ 2901, 2902, 2903 (1953); tit. 21, § 4166 (Supp. 1970).
Fla. Stat. Ann. §§ 234.08, 234.221 (Supp. 1971); Fla. Gen. Laws 1971 ch. 135, CCH ASLR 418, 482, 483, 519 (1971).
Ga. Code Ann. §§ 68-1502(f), 68-1667 (Supp. 1972).
Hawaii Rev. Stat. §§ 291C-130, 291C-95 (Supp. 1971); §§ 296-47, -48, (1968).
Idaho Code Ann. §§ 33-1504, 33-1508, 33-1511 (1963); §§ 49-502(f), 49-752a, 49-748, 49-827 (1967).
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Ind. Ann. Stat. §§ 47-1802, 47-2132, 47-2226 (1965).
Iowa Code Ann. §§ 321.78, 321.79 (1966); §§ 321.1(27), 321.72, 321.73, 321.422 (Supp. 1971).
Kans. Stat. Ann. §§ 8-597, 8-599 (1964); §§ 8-234, 8-501, 8-578, 72-8308, 72-8313 (Supp. 1971).
Ky. Rev. Stat. Ann. §§ 156.153, 156.160, 189.370, 189.375, 189.540, 189.920(4) (1970).
La. Rev. Stat. Ann. §§ 32:1(47), 32:80, 32:328(A), 17:161, 17:164 (1963); §§ 32:318(B), 17:162 (Supp. 1971).
Me. Motor Vehicle Laws §§ 2011, 2014 (1971); Me. Rev. Stat. Ann. tit. 20, § 223.
Md. Ann. Code art. 66 1/2, §§ 1-181, 11-706, 12-218(b), 12-228, 15-109 (1970).
Mass. Ann. Laws ch. 90, §§ 7B, 7C, 31, (1966); ch. 90, §§ 1, 14, 7D (Supp. 1970).
Mich. Stat. Ann. § 9.1857 (1967); §§ 0.2382, 15.3594(2), (4), (5), 15.3595, 15-3973 (Supp. 1971).
Minn. Stat. Ann. § 169.01(6) (1960); §§ 169.44, 169.45 (Supp. 1972).
Miss. Code Ann. §§ 6338, 8127(e), 8226, 8227 (1957); §§ 6336-18, 8071.5, 8229.04(b) (Supp. 1971).
Mo. Ann. Stat. §§ 302.010(15), 304.060, 304.075 (1963); §§ 301.010, 304.050 (Supp. 1971).
Mont. Rev. Codes Ann. §§ 32-2102(f), 32-2197(c), (d) (1961); 75-7002, 75-7004, 75-7006, 75-7007 (1971); §§ 32-2197(a), (b), 32-2198, 32-21-132 (Supp. 1971).
Neb. Rev. Stat. § 39-724 (1968); §§ 79-328(12), 79-488.02 (1966).
Nev. Rev. Stat. §§ 484.148, 484.351 (1969); § 392.400 as amended by Nev. Gen. Laws 1971, ch. 242, CCH ASLR 403 (1971); § 392.410 as amended by Nev. Gen. Laws 1971, ch. 242, CCH ASLR 404 (1971).
N.H. Rev. Stat. Ann. §§ 262-A:52, 263-A:53, 263:26, 263:26-a, 263:48-a, 263:39 (1966).
N.J. Rev. Stat. §§ 39:1-1, 39:3B-1, 39:3B-2, 39:3B-5, 39:4-128.1, 39:4-128.2 (Supp. 1971); N.J. Gen. Laws 1971, ch. 86, CCH ASLR 89 (1971).
N.M. Stat. Ann. §§ 64-18-46, 64-18-47, 64-18-64, 77-14-1, 77-14-2, 77-14-9 (1967); §§ 64-1-6(D), 64-13-32(D), 64-14-4(G) (Supp. 1971).
N.Y. Vehicle and Traffic Law §§ 142, 375(20), 1174 (1969); § 375(21) as amended by N.Y. Gen. Laws 1971, ch. 432, CCH ASLR 609, 610 (1971); N.Y. Education Law § 3626 (Supp. 1971).
N.C. Gen. Stat. §§ 20-217.1, 115-181(d), (1965); §§ 20.130.1, 20-217, 20-218 (Supp. 1971).
N.D. Cent. Code §§ 39-01-01, 39-10-46, 39-31-18, 39-21-27, 39-21-27.1 (Supp. 1971).
Ohio Rev. Code Ann. §§ 4511.75, 4511.762, 4511.77 (1965); §§ 4511.01(F), 4511.07(J), 4511.76 (Supp. 1970).

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Ore. Rev. Stat. §§ 483.022, 485.050 (1969); § 483.432 as amended by Ore. Gen. Laws 1971, ch. 607, CCH ASLR 735; §§ 485.010, 485.020, 485.030 as amended by Ore. Gen. Laws 1971, ch. 607, CCH ASLR 736, 737 (1971).

Pa. Stat. Ann. tit. 75, §§ 840(a)(1), (b)(1) - (6), (9.1), 1013 (1971); tit. 75, §§ 840(a), (a)(2), (b)(7) and (12) as amended by Pa. Gen. Laws 1971, Act 183, CCH ASLR 814, 815, 816, 817 (1971).

R.I. Gen. Laws Ann. §§ 31-1-3(i), 31-22-10 (1968); §§ 31-20-11, 31-20-12, 31-20-13 (Supp. 1969).

S.C. Code Ann. §§ 21-792, 21-795.1, 21-839, 46-218, 46-477 (1962); §§ 21-994, 21-794.1, 46.544.1 (Supp. 1971).

S.D. Comp. Laws §§ 32-32-6, 32-32-7 (1967); §§ 32-32-1, 32-32-2, 32-32-3, 32-32-5 (Supp. 1971).

Tenn. Code Ann. §§ 59-801, 59-851 (1968); §§ 49-2210, 59-905 (Supp. 1971).

Tex. Rev. Civ. Stat. art. 6701d, §§ 105, 131(a) - (c) (1969); §§ 2(e), 104, 124(b), 131(d), (e) (Supp. 1972).

Utah Code Ann. §§ 41-6-3(b), 41-6-100.10, 41-6-115, 41-6-116, 41-6-140.10 (1970).

Vt. Stat. Ann. tit. 23, §§ 4(28), 1281(9), (10) (1967); §§ 1047, 1281a (Supp. 1970).

Va. Code Ann. §§ 46.1-286, 46.1-287 (1967); §§ 46.1-1(37), 46.1-190 (f), 46.1-267, 46.1-286.1, 46.1-287(a1) (Supp. 1971).

Wash. Rev. Code Ann. §§ 46.04.416, 46.04.521, 46.61.370, 46.61.380 (1970); § 46.37.290 as amended by Wash. Gen. Laws 1970, CCH ASLR 212 (1970); 46.61 as amended by Wash. Gen. Laws 1970, CCH ASLR 213, 214 (1970); § 46.37.190 as amended by Wash. Gen. Laws 1971, ch. 92, CCH ASLR 611, 612 (1971).

W. Va. Code Ann. § 17C-1-7, 17C-12-8, 17C-14-12 (1966); § 17C-12-7 (Supp. 1971).

Wis. Stat. Ann. §§ 340.01(56), 346.48, 347.25, 347.44 (1971).

Wyo. Stat. Ann. §§ 31-12(8), 31-78(6), 31-95, 31-150, 31-196 (1967).

D.C. Highway and Traffic Regulations, Pt. I, § 2 (1970); §§ 50.1, 76.1 (1971); 32 D.C. Regs. §§ 6.216(d), 6.412 (1971).

FOOTNOTES

1/ This Commentary was prepared by the staff of the National Committee on Uniform Traffic Laws and Ordinances, 1776 Massachusetts Avenue, N.W., Washington, D.C., under contract with the National Highway Traffic Safety Administration. The research and writing of this Commentary was performed by E. Eugene Yaw, a student at the Washington College of Law of the American University, Washington, D.C.

2/ State laws adopted or amended prior to January 1, 1972, are included in this Commentary. Additions or amendments made during 1972 are not covered.

The Uniform Vehicle Code provisions applicable to the subject covered in this Commentary are:

> § 1-160—School bus.—Every motor vehicle that complies with the color and identification requirements set forth in the most recent edition of *Minimum Standards for School Buses*[5] and is used to transport children to or from school or in connection with school activities, but not including buses operated by common carriers in urban transportation of school children. (REVISED, 1962.)

> § 12-228—School buses
>
> (a) Every school bus shall, in addition to any other equipment and distinctive markings required by this act, be equipped with signal lamps mounted as high and as widely spaced laterally as practicable, which shall display to the front two alternately flashing red lights located at the same level and to the rear two alternately flashing red lights located at the same level, and these lights shall be visible at 500 feet in normal sunlight. (FORMERLY § 12-218(b); REVISED, 1968.)
>
> (b) Any school bus may, in addition to the lights required by subsection (a), be equipped with yellow signal lamps mounted near each of the four red lamps and at the same level but closer to the vertical centerline of the bus, which shall display two alternately flashing yellow lights to the front and two alternately flashing yellow lights to the rear, and these lights shall be visible at 500 feet in normal sunlight. These lights shall be displayed by the school bus driver at least 100 feet, but not more than 500 feet, before every stop at which the alternately flashing red lights required by subsection (a) will be actuated. (NEW, 1971.)
>
> (c) The (commissioner) is authorized to adopt standards and specifications applicable to lighting equipment on and special warning devices to be carried by school buses consistent with the provisions of this act, but supplemental thereto. Such standards and specifications shall correlate with and so far as possible conform to the specifications then current as approved by the Society of Automotive Engineers. (RELETTERED, 1971.)

§ 11-706—Overtaking and passing school bus

(a) The driver of a vehicle meeting or overtaking from either direction any school bus stopped on the highway shall stop before reaching such school bus when there is in operation on said school bus the flashing red lights specified in § 12-228(a) and said driver shall not proceed until such school bus resumes motion or he is signaled by the school bus driver to proceed or the flashing red lights are no longer actuated. (REVISED, 1971.)

(b) Every school bus shall be equipped with red visual signals meeting the requirements of § 12-228(a) of this act, which may be actuated by the driver of said school bus whenever but only whenever such vehicle is stopped on the highway for the purpose of receiving or discharging school children. A school bus driver shall not actuate said special visual signals:

1. In business districts and on urban arterial streets designated by the (State highway commission) or local authorities;
2. At intersections or other places where traffic is controlled by traffic-control signals or police officers; or
3. In designated school bus loading areas where the bus is entirely off the roadway. (REVISED, 1971.)

(c) Every school bus shall bear upon the front and rear thereof plainly visible signs containing the words "SCHOOL BUS" in letters not less than 8 inches in height. When a school bus is being operated upon a highway for purposes other than the actual transportation of children either to or from school all markings thereon indicating "school bus" shall be covered or concealed. (REVISED, 1971.)

(d) The driver of a vehicle upon a highway with separate roadways need not stop upon meeting or passing a school bus which is on a different roadway or when upon a controlled-access highway and the school bus is stopped in a loading zone which is a part of or adjacent to such highway and where pedestrians are not permitted to cross the roadway. (SECTION REVISED, 1954; RENUMBERED, 1968.)

§ 15-110—Regulations relative to school buses

(a) The (State board of education) by and with the advice of the motor vehicle commissioner shall adopt and enforce regulations not inconsistent with this act to govern the design and operation of all school buses when owned and operated by any school district or privately owned and operated under contract with any school district in this State, and such regulations shall by reference be made a part of any such contract with a school district. Every school district, its officers and employees, and every person employed under contract by a school district shall be subject to said regulations.

(b) Any officer or employee of any (school or school district) who violates any of said regulations or fails to include obligation to comply with said regulations in any contract executed by him on behalf of a (school or school district) shall be guilty of misconduct and subject to removal from office or employment. Any person operating a school bus under contract with a (school or school district) who fails to comply with any said regulations shall be guilty of breach of contract and such contract shall be canceled after notice of hearing by the responsible officers of such (school or school district). (SECTION REVISED, 1962; RENUMBERED, 1968.)

Copies of the Uniform Vehicle Code can be obtained from the National Committee on Uniform Traffic Laws and Ordinances, 1776 Massachusetts Avenue, N.W., Washington, D.C. 20036 for $7.00. This price includes the 1972 Supplement.

3/ UVC § 1-160 (1968). See footnote 2, supra, for the full text of this definition. Minimum Standards for School Buses contains the published recommendations of the National Conference on School Transportation, 1970 Revised Edition, and is available through the State of Florida, Department of Education, Tallahassee, Florida.

4/ These 12 states are:

Alaska	Georgia	New Jersey	Virginia
Connecticut	Hawaii	Oregon	Washington
Florida	Maryland	Texas	Wyoming

5/ These 35 jurisdictions are:

Alabama	Kansas	Nevada	South Carolina
Arizona	Louisiana	New Hampshire	South Dakota
Arkansas	Maine	New Mexico	Tennessee
California	Massachusetts	New York	Utah
Colorado	Michigan	North Dakota	Vermont
Idaho	Minnesota	Ohio	West Virginia
Illinois	Mississippi	Oklahoma	Wisconsin
Indiana	Missouri	Pennsylvania	District of Columbia
Iowa	Montana	Rhode Island	

6/ Reference is made throughout this Commentary to Highway Safety Program Standard No. 17, 37 Fed. Reg. 9212 (1972). This Standard which deals with pupil transportation safety was promulgated under authority of the National Highway Safety Act of 1966, 23 U.S.C. § 401 (1970). The Standard, which states are

supposed to implement as part of their highway safety program, sets requirements for proper and safe equipment, selection, training and supervision of drivers and maintenance personnel, and certain administrative provisions dealing with pupil transportation. Under this Standard, a "Type I school vehicle" is any motor vehicle exclusively used to carry more than 16 pupils to and from school, not including common carriers carrying school children along with other passengers. A "Type II school vehicle" is one carrying 16 or less pupils to or from school, excluding privately owned vehicles used to carry members of the owner's household.

7/ Alaska law, however, provides that a waiver of the minimum standards may be given by the joint action of the commissioner of motor vehicles and the commissioner of education.

8/ Florida also provides that the definition does not apply to pleasure cars carrying eight pupils or less.

9/ All provisions of the Washington code apply to "private carrier buses," that is, vehicles used to transport persons in the furtherance of any organized agricultural, religious, or charitable purpose. The Washington definition is somewhat different in that vehicles "subject to" requirements rather than those that "comply with" requirements are school buses. Under the UVC provisions, compliance with the color and identification requirements is discretionary; that is, vehicles transporting children to or from school are school buses only if they also comply with certain identification criteria. The Washington law may eliminate any local discretion if the regulations published by the Department of Public Instruction require that any vehicle used to transport children must comply with said regulations.

10/ The Maryland definition applies only to vehicles having a seating capacity of 10 or more persons.

11/ New Jersey has another provision stating that all requirements and privileges of school buses apply to buses operated by summer day camps.

12/ This was the original definition of "school bus" which appeared in the Uniform Vehicle Code from 1934 until 1962 when the current definition was adopted. UVC Act V, § 1(e) (Rev. eds. 1934, 1938, 1944); UVC Act V, § 1(f) (Rev. eds. 1948, 1952); UVC § 1-156 (Rev. ed. 1954); UVC § 1-160 (Rev. eds. 1956, 1962, 1968).

13/ A further provision in Arkansas indicates applicability to transportation of college students.

14/ New Mexico has a functional definition in its vehicle code regulating traffic on the highways, but also, under general vehicle definitions, a school bus is defined as a vehicle which has a permanent or temporary seating capacity for 10 or more persons not including regulated common carriers or vehicles of government owned transit authorities.

15/ South Carolina provides that all school bus regulations apply to vehicles owned by private schools.

16/ Maine has a further provision that all school buses carrying over 20 passengers must comply with the "Uniform School Bus Standards" but does not further identify those standards.

17/ A "large school bus" is at least 80 inches wide. A "small school bus" includes station wagons, suburbans, panel body vehicles and vehicles converted to school buses but excludes passenger vehicles.

18/ In another provision, New York requires vehicles with a seating capacity of more than seven passengers and used primarily to transport pupils, teachers, or supervisors, to be painted, labeled, and equipped in accordance with other legal requirements. This provision applies to transporting children to and from camp or camp activities.

19/ The Commissioner of Highway Patrol in California may exempt private school buses from compliance with school bus rules and regulations.

20/ Pennsylvania specifically requires in another section that any motor vehicle of the bus type owned by, or operated under a contract with, any school district or private or parochial school for the transportation of children must be registered as a commercial vehicle. This excludes station wagons and suburban vehicles but, if they have a seating capacity in excess of 10 pupils, signing and lighting requirements apply.

21/ If a common carrier bus is used exclusively to transport school children, it must be labeled as a school bus but the requirements on color and lights do not apply.

22/ Minimum Standards for School Buses 59 (Rev. ed. 1970).

23/ Federal Highway Safety Program Standard No. 17 requires that all "Type I school vehicles" be painted National School Bus Glossy Yellow, but has no requirement in the definition that a motor vehicle must be a certain color in order to be a school bus.

24/ The Georgia color requirement applies to every new school bus purchased after January 1, 1971.

25/ The color requirement in New Jersey applies only to buses with a seating capacity of more than 16 passengers.

26/ The color of school buses in Iowa is specified in regulations. Iowa § 321.373 may require those regulations to conform with federal standards or the Minimum Standards for School Buses which would both mandate a yellow color.

27/ Louisiana specifies the color as national school bus chrome.

28/ The color specified is Minnesota Golden Orange.

29/ In New York, the color requirement applies to vehicles carrying more than seven passengers.

30/ South Carolina specifies the color as national school bus chrome.

31/ The South Dakota provision applies only to vehicles which transport ten or more students.

32/ Highway Safety Standard No. 17 also requires that school vehicles permanently converted to a use other than transporting children to or from school must be repainted.

33/ Iowa expressly allows vehicles owned by a school corporation, church or camp organization regularly transporting children or owned by a school bus manufacturer, distributor or dealer to be yellow in color.

34/ Small school buses for fewer than 10 passengers may be painted school bus chrome; but if they are so painted, such vehicles must comply with all school bus requirements, including flashing lights. This is the approach taken by Highway Safety Standard No. 17 for "Type II school vehicles."

35/ Maine provides that only school buses with a carrying capacity of over 20 passengers must comply with uniform school bus standards.

36/ The minimum standards adopted by the National Conference on School Transportation, which is administered by the National Commission on Safety Education, were published as Minimum Standards for School Buses. See footnote 3, supra.

37/ The Illinois repainting provision does not apply to a church using a former school bus to transport church members between the church and their places of residence.

38/ UVC § 11-706(c) (Supp. I 1972). See footnote 2, supra, for the full text of this provision.

39/ Additional lettering is not specifically prohibited by the Code. UVC § 11-706 requires the words "School Bus" in eight-inch high letters, but makes no mention of additional wording; it neither permits nor prohibits it. UVC § 1-160 provides that school buses meet the identification requirements of Minimum Standards for School Buses. That document requires signs with the words "School Bus" in letters eight inches high, and does permit additional words such as "Stop on Signal" which would be in direct conflict with Highway Safety Program Standard No. 17.

40/ Thirty-three jurisdictions conform further with the UVC by requiring that the school bus lettering be not less than 8 inches in height. These jurisdictions are:

Alaska	Idaho	New Hampshire	South Dakota
Arizona	Illinois	New Mexico	Utah
Arkansas	Kansas	New York	Washington
California	Louisiana	North Dakota	West Virginia
Colorado	Maine	Ohio	Wisconsin
Delaware	Maryland	Oklahoma	Wyoming
Georgia	Minnesota	Oregon	District of Columbia
Hawaii	Missouri	Pennsylvania	
	Montana	Rhode Island	

Maine provides that 8 inch letters are to be used on vehicles having a seating capacity for 20 or more passengers, while vehicles having a capacity under 20 passengers are required to use four inch lettering. New York requires that if the school bus is operated on the highway between one-half hour

after sunset or before sunrise, the signs must be illuminated. Rhode Island provides that the school bus sign may be displayed by a bus only when the majority of the passengers are under the age of 18.

Ten states require school bus identification comparable to the Code, but vary the size of the lettering as follows:

Indiana	4 inches	North Carolina	5 inches
Kentucky	6 inches	South Carolina	5 inches
Massachusetts	6 inches	Tennessee	6 inches
Mississippi	4 inches	Vermont	4 inches
New Jersey	4 inches	Virginia	6 inches

Four other states require school bus identification but specify no size requirement for the lettering: Connecticut, Florida, Michigan and Nevada.

41/ Minimum Standards for School Buses provides that the school bus body shall bear the words "School Bus" in black letters at least eight inches high on both the front and rear.

42/ This statement is required even though Alaska does not require drivers to stop at all times when children are being loaded or unloaded.

43/ The Connecticut law provides that any motor vehicle, other than a registered school bus, when used for the transportation of children to or from school or school activities or private or public camps or for the transportation exclusively of children, may display school bus signs on the front and rear, but the admonition to stop is not to be used.

44/ According to other Missouri provisions, a stop is required only when a bus is stopped and a signal has been given.

45/ Although amber lights are mentioned in this provision, no further reference is made to this equipment anywhere in South Carolina law. However, alternately flashing red lights are required as in the UVC provision. South Carolina also requires that the sides of a school bus be marked "South Carolina Public Schools."

46/ A driver meeting one of these specially identified vehicles has the same obligation to stop as if the vehicle were a school bus receiving or discharging passengers.

47/ Highway Safety Standard No. 17 requires that "school bus" signs must be covered, removed, or concealed when Type I school vehicles (see footnote 6, supra) are operated on the highway and transporting primarily passengers other than school pupils.

48/ In another section, Montana laws state that school bus identification must be concealed when not being used for transporting pupils to and from school or a school function.

49/ Under West Virginia law the requirement to cover signs applies to contract carriers only.

50/ New Jersey requires that "out of service" signs be displayed.

51/ UVC § 12-228 (Supp. I 1972). See footnote 2, supra, for the full text of this provision.

52/ Id

53/ Federal Motor Vehicle Safety Standard No. 198, 49 Code of Federal Regulations § 571.21, promulgated under authority of the National Traffic and Motor Vehicle Safety Act of 1966, 16 U.S.C. § 1392 (1970).

54/ Small passenger vehicles which are not school owned and which have a seating capacity for not more than six passengers, are not required to be equipped with flashing red lights in Colorado.

55/ The Vermont lighting requirements do not apply to vehicles of the pleasure car type.

56/ Alaska does not require the use of stop signal lights at every stop. See the discussion on prohibited use of warning lights in the text near footnote 80, infra.

57/ Under Highway Safety Standard No. 17, the use of stop arms is at the option of the state, but, if they are used, operation must be only in conjunction with red signal lamps.

58/ The stop arm is to be 17 by 19 inches when fully extended and contain the word "Stop" in white letters on a red background. At the left side of the stop arm, two alternately flashing red lights displayed to both the front and rear are

to be mounted vertically. These lights are to flash only when the arm is fully extended.

59/ Louisiana requires a 8" x 16" semaphore arm front and rear on the left side of the bus painted red with the word "STOP" in 6" white letters.

60/ Washington requires that every school bus and private carrier bus be equipped with a 14" x 18" "stop" signal of distinctly contrasting colors. See footnote 9, supra, with regard to private carrier buses in Washington.

61/ Minimum Standards for School Buses, p. 45. See footnote 3, supra.

62/ New Hampshire does not specify the "certain" vehicles which are to be equipped with automatic flasher lights.

63/ School buses originally titled in Pennsylvania prior to the effective date of the amended equipment act must be equipped with one flashing red light front and rear.

64/ The South Dakota provision applies to vehicles with a seating capacity of 10 or more students.

65/ Iowa law provides that special provisions are to be set forth by the Department of Public Instruction for school buses which carry eight or fewer pupils.

66/ The requirement for a stop arm on the left side may be waived by the State Board of Education in the event a more effective warning device is prescribed. A further requirement of Georgia law is that a school bus transporting children must have its head lamps illuminated.

67/ School bus specifications, including lighting requirements, do not apply to pleasure cars carrying eight pupils or less, but every school bus with a seating space of more than 10 lineal feet must comply. Florida traffic laws refer to a "stop signal" with no further explanation.

68/ The New Jersey provisions also apply to summer day camp buses.

69/ All New York provisions relative to school buses apply to buses used to transport children to and from child day care

centers maintained for migrant farm laborers and buses used to transport children to and from camp.

70/ The Minnesota provision applies only to school buses having a seating capacity in excess of twelve persons.

71/ North Carolina does not specify that a stop signal arm is required but only that all buses must have, in addition to a flashing stop light, other warning devices prescribed by the State Board of Education. This provision, in conjunction with other requirements, indicates that a stop arm is required. See text under "Stopping Requirements" near footnote 85, infra.

72/ In Arizona, every school bus must be equipped with a sign at least 20" long containing the word "STOP" on both sides in 5" black letters on a yellow background. This sign is to be displayed only when passengers are being received or discharged.

73/ In Kentucky, every school bus must be equipped with a folding sign with the word "Stop" in 6" letters on both sides.

74/ Nebraska requires all school buses to be equipped with an electric stop lamp, red in color, located on the rear of the vehicle between 42" and 60" above the surface of the highway. This independently operated signal is to be illuminated not less than 500' nor more than 1,000' before a stop at a railroad crossing.

75/ UVC § 12-228(c) (Supp. I 1972). See footnote 2, supra, for the full text of this provision.

76/ UVC § 11-706(b) (Supp. I 1972). See footnote 2, supra, for the full text of this provision. Highway Safety Program Standard No. 17 recommends that the use of red signal lamps be prohibited at any time other than when the school vehicle is stopped to load or discharge passengers.

77/ Virginia law provides that any person operating a bus who fails to use warning devices shall be guilty of a misdemeanor.

78/ Unlike the Code, Highway Safety Standard No. 17 has no provision relating to when alternately flashing amber lights may be actuated.

79/ UVC § 11-706(d) (1968). See footnote 2, supra, for the full text of this provision

80/ Michigan does not require approaching drivers to stop in cities and villages unless required to do so by ordinance.

81/ UVC §§ 11-706(a) and (d) (1968, Supp. I 1972). See footnote 2, supra, for the full text of these subsections. The only difference between the Code and Highway Safety Standard No. 17 is that the Standard recommends that states require stops for buses receiving or discharging pupils, a provision that was deleted from the Code in 1971 on the grounds that approaching drivers often cannot determine the reason for a stop and must rely upon the flashing lights.

82/ Colorado may require a stop for a small passenger vehicle used as a school bus even though no lights are displayed. See footnote 54, supra, concerning vehicles not required to be equipped with signal lights.

83/ Oregon also requires a driver to stop when approaching a worker transport bus exhibiting flashing red lights.

84/ The Florida law provides that any person operating a motor vehicle must "upon approaching any school bus used in transporting school pupils to or from school which is properly identified in substantial accordance with the provisions of § 234.08, and which displays a stop signal, bring such motor vehicle to a full stop while the bus is stopped and the motor vehicle shall not pass until the signal has been withdrawn."

85/ Minnesota provides that alternately flashing amber lights are to be used on school buses with a seating capacity for less than 12 pupils when such buses are preparing to stop and while they are stopped on a highway to receive or discharge school children. Apparently no stop would be required when encountering this type of school bus.

86/ The Nebraska provisions for overtaking and passing a school bus are not in the vehicle code.

87/ The Alabama law provides that every person operating a motor vehicle shall "when approaching a school bus, or other vehicle engaged in transporting school children, bring said motor vehicle to a complete stop, while said school bus, or other passenger vehicle used in transporting school children, is engaged in taking on or discharging school children."

88/ The Virginia law requires that a school bus be equipped with warning devices but specifically states that the failure

of the devices to function does not relieve a driver of his duty to stop.

89/ UVC § 11-706(a) (Supp. I 1972). See footnote 2, supra, for the full text of this provision. Highway Safety Program Standard No. 17, like the Code, provides that a driver must stop before he reaches the stopped school bus.

90/ UVC § 11-706(a) (Supp. I 1972). See footnote 2, supra, for the full text of this provision. Highway Safety Program Standard No. 17 provides only that a driver must remain stopped until the warning signals are deactivated.

91/ Connecticut specifically permits a school bus to remain stopped after children have loaded or unloaded to allow traffic to pass.

92/ UVC § 11-706(d) (1968). See footnote 2, supra, for the full text of this provision. Highway Safety Program Standard No. 17 has no comparable provision but provides that loading and unloading zones off the main traveled part of the highways should be established wherever practicable and at or near schools.

93/ Kentucky prohibits the discharge of pupils on a divided highway when the pupils' destination is the opposite side of the road except at marked pedestrian crossings.

94/ Idaho also prohibits a school bus from stopping for children on any highway having more than three lanes if pupils have to cross the highway except at controlled intersections. Stops are permitted on highways consisting of more than two lanes only at intersections where traffic signals are operating or if students do not have to cross the highway.

95/ Iowa prohibits the stopping of a school bus on a highway with four or more lanes where children must cross the highway except at a place where traffic is controlled by an officer or signal.

96/ UVC § 15-110 (1968). See footnote 2, supra, for the text of this section.

97/ Any violation by an officer or employee or by a person operating under a contract is specifically stated to be a misdemeanor. Colorado has no provision concerning the removal

from office of any officer or employee who violates regulations made by the state board, but does provide for the cancellation of a contract of a violator.

98/ Hawaii provides that violation of the regulations by any person operating a bus is a misdemeanor.

99/ In Nebraska, any officer who violates or fails to include any regulation in a contract is guilty of a misdemeanor and upon conviction is subject to removal from office or employment.

100/ Washington provides that it is unlawful for any officer or employee of any school district or for any person operating under a contract to violate any of the provisions of the regulations set forth by the State Board of Education.